



Public Meeting Room A
Delta Administration Building
7710 West Saginaw Highway
Lansing, Michigan 48917

TOWNSHIP BOARD
REGULAR MEETING
AGENDA
February 18, 2013
6:00 P.M.

I. CALL TO ORDER

II. OPENING CEREMONIES – Pledge of Allegiance

III. ROLL CALL – Members: Supervisor Ken Fletcher, Clerk Mary Clark, Treasurer Howard Pizzo, Trustees Dennis Fedewa, Jeff Hicks, R. Douglas Kosinski, Karen Mojica

IV. PRESENTATIONS AND PROCLAMATIONS

1. Bob Robinson, Eaton County Treasurer

V. SET/ADJUST AGENDA

VI. PUBLIC HEARINGS

VII. COMMUNICATIONS

VIII. PUBLIC COMMENTS FOR ITEMS NOT ON AGENDA (*maximum two minutes*)

IX. INTRODUCTION OF ORDINANCES

X. PASSAGE OF ORDINANCES

2. Lt. Campbell recommends that the Township Board adopt an amendment to the Delta Township Code of Ordinances Article 1 of Chapter 28, which would establish curfews for minors.
3. Lt. Campbell recommends that the Township Board adopt an amendment to the Delta Township Code of Ordinances Article III of Chapter 28. This amendment would make it a misdemeanor offense to expectorate, urinate, or defecate in public spaces.
4. Lt. Campbell recommends that the Township Board adopt an amendment to the Delta Township Code of Ordinances Article III of Chapter 28. This amendment would make it a misdemeanor offense to be on the property of another without permission.
5. The Community Development Department recommends that the Township Board adopt the proposed Zoning Ordinance text amendments pertaining to On-Site Stormwater Management Facilities.

XI. CONSENT AGENDA –Anyone may request item/s to be pulled from the consent agenda for discussion. If left on the consent agenda, the items will be voted on by a roll call vote of the Board en masse. Then, the individual item/s will be discussed and voted upon.

6. Bills and Financial Transactions
\$667,015.81

7. Minutes
February 4, 2013 Regular Board Meeting Minutes

8. Economic Development Corporation Appointments
The Township Supervisor recommends the appointments of Justin Himebaugh and Toni Griffin to the Economic Development Corporation for terms that expire on January 31, 2019.

9. Receiving Boards for the May 7th and November 5th, 2013 Elections
The Clerk's Office recommends that the Township Board establish two receiving boards for the May 7th and the November 5th Elections for 2013.

XII. ITEMS REMOVED FROM CONSENT AGENDA FOR DISCUSSION

XIII. ITEMS ADDED TO AGENDA UNDER SECTION V. SET/ADJUST AGENDA

XIV. ITEMS OF BUSINESS

10. Final Consideration of LaHaie Special Land Use Permit
The Community Development Department recommends that the Township Board approve the request for a Special Land Use Permit for an internet gun sales home occupation.

11. Final Consideration of Gannon Special Land Use Permit
The Community Development Department recommends that the Township Board approve the request for a Special Land Use Permit to allow a group day care facility at 7312 Williamsburg.

12. Transmittal of the Delta Township Comprehensive Plan
The Planning Commission recommends that the Township Board acknowledge receipt of the 2013 Delta Township Comprehensive Plan as adopted by the Delta Township Planning Commission on January 28, 2013.

XV. MANAGER'S REPORT

XVI. COMMITTEE OF THE WHOLE

13. Municipal Utility Standards

XVII. PUBLIC COMMENTS (*maximum five minutes*)

XVIII. ADJOURNMENT

CHARTER TOWNSHIP OF DELTA

MARY R. CLARK, TOWNSHIP CLERK
Phone (517) 323-8500

Individuals with disabilities requiring auxiliary aids or services who are planning to attend Township meetings or hearings should contact the Clerk's Office by writing or calling in advance (323-8500) to inform them of the date of the meeting/hearing that will be attended. Copies of minutes may be purchased or viewed in the Clerk's Office from 8 a.m. to 5 p.m., Monday through Friday.



EATON COUNTY OFFICE OF THE SHERIFF

TOM REICH, SHERIFF

JEFFREY COOK, UNDERSHERIFF

FRED MCPHAIL, CHIEF DEPUTY

1025 Independence Blvd ...Charlotte MI 48813 ...Phone 517-543-3512 ...517-372-8217 ...Fax 543-2922

Date: February 15, 2013
To: Delta Township Board
From: Lt. Jeff Campbell
Re: Final Action re: Curfew Ordinance

I recommend that the Board adopt the Curfew Ordinance. This ordinance makes it possible for Deputies to address occasional problems with minors who are out in public by providing legal authority to arrest the minor for curfew violations and provides legal procedures for deputies to follow to ensure safety of the minors while notifying parents and the courts of violations. Upon second or subsequent violation of this ordinance, it also provides a means for parents to be held legally responsible for failing to exercise reasonable control over a minor or aids and abets a minor in violating this ordinance.

This ordinance will be a useful enforcement tool that fits well with existing ordinances to help us investigate and address complaints from citizens, or problem areas within Delta Township when other legal options may not be available to us.

Therefore, I offer the following for your consideration:

"I move that the Delta Township Board adopt an amendment to the Delta Township Code of Ordinances Article I of Chapter 28. This proposed ordinance would establish curfews for minors, as defined in Section 28-95 in the Delta Township Code of Ordinances."

Further, the Township Clerk is hereby directed to publish a notice of adoption in local newspapers, and the amendments shall become effective upon publication."

Respectfully,

Lt. Jeff Campbell

ORDINANCE NO. 28-95

AN ORDINANCE OF THE CHARTER TOWNSHIP OF DELTA, EATON COUNTY, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES, CHARTER TOWNSHIP OF DELTA, MICHIGAN, BE AMENDED BY ADDING A NEW SECTION 28-95 ("CURFEW FOR MINORS") TO ARTICLE I ("IN GENERAL") OF CHAPTER 28 ("OFFENSES") TO ESTABLISH CURFEWS FOR MINORS; REPEAL ORDINANCES AND PORTIONS OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE; AND PROVIDE AN EFFECTIVE DATE HEREOF.

THE TOWNSHIP BOARD OF TRUSTEES FOR THE CHARTER TOWNSHIP OF DELTA HEREBY ORDAINS:

1. Article I ("In General") of Chapter 28 ("Offenses") is hereby amended as follows:

SECTION . CURFEW FOR MINORS.

- A. No minor under the age of 12 years shall loiter, idle or congregate in or on any public street, highway, alley or park between the hours of 10 o'clock p.m. and 6 o'clock a.m., unless the minor is accompanied by a parent or guardian, or some adult delegated by the parent or guardian to accompany the child.
- B. A minor under the age of 16 years shall not loiter, idle or congregate in or on any public street, highway, alley or park between the hours of 12 midnight and 6 a.m., subject to the exceptions set forth in subsection (C) hereof.
- C. Exceptions. The following shall constitute valid exceptions to subsection B above:
 - 1) Where the minor is accompanied by a parent or guardian or some adult over twenty-one years of age delegated by the parent or guardian to accompany the minor child for a designated period of time and for a specific purpose within a specified area.
 - 2) Where the minor is on the sidewalk of his or her residence, or on the sidewalk of either next door neighbor; however, neighbor complaints or objections may invalidate this portion of this exception if the minor is on the neighbor's sidewalk.
 - 3) Where the minor is returning home by a direct route from and within thirty minutes of the termination of a school activity or an activity of a religious organization or other volunteer association.
 - 4) Where the minor is a resident of another jurisdiction or a resident of the Charter Township of Delta and is in a motor vehicle with parental consent and is traveling through the Township.
 - 5) Operating a motor vehicle within the scope of his or her license.

- 6) Where the minor is engaged in the course of lawful employment or for a period of thirty minutes before or after work, while traveling a direct route between such place of employment and his or her residence.
2. Aiding and Abetting. Any person of the age of 16 years or over assisting, aiding, abetting, allowing, permitting or encouraging any minor under the age of 16 years to violate the provisions of subsections A and B hereof is guilty of a misdemeanor and subject to a fine as set by Township resolution.
3. Minor Arrest; Notice to Parent/guardian and Court; Subsequent Offense.
- A. Law enforcement officers are vested with authority to arrest, without warrant, any minor within his or her presence violating any provision of this section. If such arrest is the minor's first offense, the officer shall transport the minor to his or her residence and place the minor in the charge of the minor's parent or legal guardian. If the minor's parent or legal guardian is not on the premises, the minor may be left in the care and charge of a family member over the age of 18 years. If no such parent, legal guardian, or person having custody of such minor or member of the family over 18 years of age is present when the minor is returned, the officer shall make disposition as directed by a judge or agent of the county juvenile court.
 - B. Whenever any minor is arrested under this section, written notice shall be given to the parent, legal guardian or other person having legal care or custody of such minor. Notice will be served by personal service, or by leaving a copy thereof at his or her place of residence and informing any person upon the premises of suitable age and understanding of the contents thereof. Such notice shall be in writing.
 - C. When any minor is arrested for violating this section, the arresting officer shall report, in writing, to the prosecutor and judge of the probate/juvenile court of the Eaton County. Said report will include the name of such minor, the dates of the offense and arrest and the name of the person upon whom the notice provided for in this section was served. A copy of the report will be on file at the Sheriff's Office.
 - D. Whenever a minor is arrested a second time or for a subsequent violation of this section, the arresting officer shall seek a petition against such minor in the probate/juvenile court. In addition; the arresting officer may seek a warrant for any parent, legal guardian or other person having legal custody of such minor who permitted, aided or abetted the minor to violate this section.
 - E. No parent or legal guardian of any minor shall fail to exercise reasonable control over such minor, which failure results in the minor committing any violation of this section, criminal act, or allow or encourage any minor to commit any criminal act. Upon second or subsequent violation of Section 28-95, proof that a minor was upon or in any public street, highway, alley, park, vacant lot or other unsupervised public place in violation of this section

4. Severability. If a court of competent jurisdiction declares any provision of this Ordinance, or a statutory provision referred to or adopted by reference herein, to be unenforceable, in whole or in part, such declaration shall only affect the provision held to be unenforceable and shall not affect any other part or provision. Provided, however, that if a court of competent jurisdiction declares a penalty provision to exceed the authority of the Township, the penalty shall be construed as the maximum penalty that is determined by the court to be with the authority of the Township to impose.

5. Repeal. All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this Ordinance are hereby repealed; provided that any violation charged before the effective date of this Ordinance under an ordinance provision repealed by this Ordinance shall continue under the ordinance provision then in effect.

6. Effective Date. This ordinance shall take effect immediately after final publication.

Ken Fletcher, Supervisor
Charter Township of Delta

I, Mary Clark, Clerk of the Charter Township of Delta, hereby certify that the foregoing is a true copy of the original Ordinance No. ____, enacted by the Charter Township of Delta Board of Trustees at a _____ meeting on _____, 2013.

Mary Clark, Clerk
Charter Township of Delta

State law reference – Curfew for Children, PA 41 of 1960.

February 19, 2013

Community Newspapers
11963 West Andre Avenue
Grand Ledge, Michigan 48837

Please publish as follows:

Delta Waverly Community News – February 24, 2013
Grand Ledge Independent – February 24, 2013

DELTA CHARTER TOWNSHIP

7710 W. Saginaw Highway
Lansing, Michigan 48917
517-323-8560

**ADOPTION OF CODE OF ORDINANCE AMENDMENT 13-72
SECTION 28-95 CURFEW FOR MINORS**

The Delta Township Board introduced the following ordinance repeal and ordinance text at its regular meeting held on Monday, February 4, 2013.

The Delta Township Board adopted the following ordinance repeal and ordinance text at its regular meeting held on Monday, February 18, 2013.

THE CHARTER TOWNSHIP OF DELTA ORDAINS TO AMEND THE CODE OF
ORDINANCE OF DELTA TOWNSHIP AS FOLLOWS:

ORDINANCE NO. 13-72

AN ORDINANCE OF THE CHARTER TOWNSHIP OF DELTA, EATON COUNTY, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES, CHARTER TOWNSHIP OF DELTA, MICHIGAN, BE AMENDED BY ADDING A NEW SECTION 28-95 (“CURFEW FOR MINORS”) TO ARTICLE I (“IN GENERAL”) OF CHAPTER 28 (“OFFENSES”) TO ESTABLISH CURFEWS FOR MINORS; REPEAL ORDINANCES AND PORTIONS OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE; AND PROVIDE AN EFFECTIVE DATE HEREOF.

THE TOWNSHIP BOARD OF TRUSTEES FOR THE CHARTER TOWNSHIP OF

DELTA HEREBY ORDAINS:

1. Article I ("In General") of Chapter 28 ("Offenses") is hereby amended as follows:

SECTION 28-95. CURFEW FOR MINORS.

- A. No minor under the age of 12 years shall loiter, idle or congregate in or on any public street, highway, alley or park between the hours of 10 o'clock p.m. and 6 o'clock a.m., unless the minor is accompanied by a parent or guardian, or some adult delegated by the parent or guardian to accompany the child.
- B. A minor under the age of 16 years shall not loiter, idle or congregate in or on any public street, highway, alley or park between the hours of 12 midnight and 6 a.m., subject to the exceptions set forth in subsection (C) hereof.
- C. Exceptions. The following shall constitute valid exceptions to subsection B above:
 - 1) Where the minor is accompanied by a parent or guardian or some adult over twenty-one years of age delegated by the parent or guardian to accompany the minor child for a designated period of time and for a specific purpose within a specified area.
 - 2) Where the minor is on the sidewalk of his or her residence, or on the sidewalk of either next door neighbor; however, neighbor complaints or objections may invalidate this portion of this exception if the minor is on the neighbor's sidewalk.
 - 3) Where the minor is returning home by a direct route from and within thirty minutes of the termination of a school activity or an activity of a religious organization or other volunteer association.
 - 4) Where the minor is a resident of another jurisdiction or a resident of the Charter Township of Delta and is in a motor vehicle with parental consent and is traveling through the Township.
 - 5) Operating a motor vehicle within the scope of his or her license.
 - 6) Where the minor is engaged in the course of lawful employment or for a period of thirty minutes before or after work, while traveling a direct route between such place of employment and his or her residence.
- 2. Aiding and Abetting. Any person of the age of 16 years or over assisting, aiding, abetting, allowing, permitting or encouraging any minor under the age of 16 years to violate the provisions of subsections A and B hereof is guilty of a misdemeanor and

subject to a fine as set by Township resolution.

3. Minor Arrest; Notice to Parent/guardian and Court; Subsequent Offense.

- A. Law enforcement officers are vested with authority to arrest, without warrant, any minor within his or her presence violating any provision of this section. If such arrest is the minor's first offense, the officer shall transport the minor to his or her residence and place the minor in the charge of the minor's parent or legal guardian. If the minor's parent or legal guardian is not on the premises, the minor may be left in the care and charge of a family member over the age of 18 years. If no such parent, legal guardian, or person having custody of such minor or member of the family over 18 years of age is present when the minor is returned, the officer shall make disposition as directed by a judge or agent of the county juvenile court.
- B. Whenever any minor is arrested under this section, written notice shall be given to the parent, legal guardian or other person having legal care or custody of such minor. Notice will be served by personal service, or by leaving a copy thereof at his or her place of residence and informing any person upon the premises of suitable age and understanding of the contents thereof. Such notice shall be in writing.
- C. When any minor is arrested for violating this section, the arresting officer shall report, in writing, to the prosecutor and judge of the probate/juvenile court of the Eaton County. Said report will include the name of such minor, the dates of the offense and arrest and the name of the person upon whom the notice provided for in this section was served. A copy of the report will be on file at the Sheriff's Office.
- D. Whenever a minor is arrested a second time or for a subsequent violation of this section, the arresting officer shall seek a petition against such minor in the probate/juvenile court. In addition; the arresting officer may seek a warrant for any parent, legal guardian or other person having legal custody of such minor who permitted, aided or abetted the minor to violate this section.
- E. No parent or legal guardian of any minor shall fail to exercise reasonable control over such minor, which failure results in the minor committing any violation of this section, criminal act, or allow or encourage any minor to commit any criminal act. Upon second or subsequent violation of Section 28-95, proof that a minor was upon or in any public street, highway, alley, park, vacant lot or other unsupervised public place in violation of this section shall be prima-facie evidence.

4. Severability. If a court of competent jurisdiction declares any provision of this Ordinance, or a statutory provision referred to or adopted by reference herein, to be unenforceable, in whole or in part, such declaration shall only affect the provision held to be unenforceable and shall not affect any other part or provision. Provided, however, that

if a court of competent jurisdiction declares a penalty provision to exceed the authority of the Township, the penalty shall be construed as the maximum penalty that is determined by the court to be within the authority of the Township to impose.

5. Repeal. All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this Ordinance are hereby repealed; provided that any violation charged before the effective date of this Ordinance under an ordinance provision repealed by this Ordinance shall continue under the ordinance provision then in effect.
6. Effective Date. This ordinance shall take effect immediately after final publication.

CHARTER TOWNSHIP OF DELTA
MARY CLARK, TOWNSHIP CLERK

Copies of this ordinance may be purchased or inspected in the office of the Township Clerk from 8:00 a.m. to 5:00 p.m., Monday through Friday except holidays.



EATON COUNTY OFFICE OF THE SHERIFF

TOM REICH, SHERIFF

JEFFREY COOK, UNDERSHERIFF

FRED MCPHAIL, CHIEF DEPUTY

1025 Independence Blvd ...Charlotte MI 48813 ...Phone 517-543-3512 ...517-372-8217 ...Fax 543-2922

Date: February 15, 2013
To: Delta Township Board
From: Lt. Jeff Campbell
Re: Final Action re: Unlawful Expectoration, Urination & Defecation Ordinance

I recommend that the Board adopt the proposed Expectoration, Urination & Defecation Ordinance. This ordinance combines other ordinances, and makes it possible for Deputies to address occasional problems with indecent or disorderly conduct that are not otherwise covered by existing ordinance or statute.

This misdemeanor ordinance will be a useful enforcement tool that fits well with existing ordinances to help us investigate and address complaints from citizens, or problem areas within Delta Township when other legal options may not be available to us.

Therefore, I offer the following for your consideration:

"I move that the Delta Township Board adopt an amendment to the Delta Township Code of Ordinances Article III of Chapter 28. This proposed ordinance would make it a misdemeanor offense to expectorate, urinate, or defecate in public spaces or private places while such act is open to the public view as defined in Section 28-94 in the Delta Township Code of Ordinances."

Further, the Township Clerk is hereby directed to publish a notice of adoption in local newspapers, and the amendments shall become effective upon publication."

Respectfully,

Lt. Jeff Campbell

ORDINANCE NO. 28-97

AN ORDINANCE OF THE CHARTER TOWNSHIP OF DELTA, EATON COUNTY, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES, CHARTER TOWNSHIP OF DELTA, MICHIGAN, BE AMENDED BY ADDING A NEW SECTION 28-97 ("UNLAWFUL EXPECTORATION, URINATION AND DEFECATION") TO ARTICLE III ("OFFENSES AGAINST PROPERTY") OF CHAPTER 28 ("OFFENSES") TO MAKE UNLAWFUL PUBLIC EXPECTORATION, URINATION AND DEFECATION; REPEAL ORDINANCES AND PORTIONS OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE; AND PROVIDE AN EFFECTIVE DATE HEREOF.

THE TOWNSHIP BOARD OF TRUSTEES FOR THE CHARTER TOWNSHIP OF DELTA HEREBY ORDAINS:

1. Article III ("Offenses Against Property") of Chapter 28 ("Offenses") is hereby amended as follows:

SECTION 28-97. UNLAWFUL EXPECTORATION, URINATION AND DEFECATION.

Any person who violates this Section shall be guilty of a misdemeanor subject to imprisonment and a fine as established in Section 1-6.1(b).

Except where restroom facilities are used for such purposes, it shall be unlawful for a person to expectorate, urinate or defecate:

- A. While present upon, or in any: public property, street, sidewalk, parking lot/structure, alley, park, public transportation, or any other place open to the public.
- B. While present upon, or in any private property while such act is open to the public view.
- C. While present upon, or in any private property of another without authority or permission of the owner of such premises or without authority or permission of the lawful occupants.

2. Severability. If a court of competent jurisdiction declares any provision of this Ordinance, or a statutory provision referred to or adopted by reference herein, to be unenforceable, in whole or in part, such declaration shall only affect the provision held to be unenforceable and shall not affect any other part or provision. Provided, however, that if a court of competent jurisdiction declares a penalty provision to exceed the authority of the Township, the penalty shall be construed as the maximum penalty that is determined by the court to be within the authority of the Township to impose.

3. Repeal. All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this Ordinance are hereby repealed; provided that any violation charged before the effective date of this Ordinance under an ordinance provision repealed by this Ordinance shall continue under the ordinance provision then in effect.

DELTA HEREBY ORDAINS:

1. Article III ("Offenses Against Property") of Chapter 28 ("Offenses") is hereby amended as follows:

SECTION 28-97. UNLAWFUL EXPECTORATION, URINATION AND DEFECATION.

Any person who violates this Section shall be guilty of a misdemeanor subject to imprisonment and a fine as established in Section 1-6.1(b).

Except where restroom facilities are used for such purposes, it shall be unlawful for a person to expectorate, urinate or defecate:

- A. While present upon, or in any: public property, street, sidewalk, parking lot/structure, alley, park, public transportation, or any other place open to the public.
 - B. While present upon, or in any private property while such act is open to the public view.
 - C. While present upon, or in any private property of another without authority or permission of the owner of such premises or without authority or permission of the lawful occupants.
2. **Severability.** If a court of competent jurisdiction declares any provision of this Ordinance, or a statutory provision referred to or adopted by reference herein, to be unenforceable, in whole or in part, such declaration shall only affect the provision held to be unenforceable and shall not affect any other part or provision. Provided, however, that if a court of competent jurisdiction declares a penalty provision to exceed the authority of the Township, the penalty shall be construed as the maximum penalty that is determined by the court to be with the authority of the Township to impose.
3. **Repeal.** All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this Ordinance are hereby repealed; provided that any violation charged before the effective date of this Ordinance under an ordinance provision repealed by this Ordinance shall continue under the ordinance provision then in effect.
4. **Effective Date.** This ordinance shall take effect immediately after final publication.

CHARTER TOWNSHIP OF DELTA
MARY CLARK, TOWNSHIP CLERK

Copies of this ordinance may be purchased or inspected in the office of the Township Clerk from 8:00 a.m. to 5:00 p.m., Monday through Friday except holidays.

4. Effective Date. This ordinance shall take effect immediately after final publication.

Ken Fletcher, Supervisor
Charter Township of Delta

I, Mary Clark, Clerk of Charter Township of Delta, hereby certify that the foregoing is a true copy of the original of Ordinance No. 28-97, enacted by the Charter Township of Delta Board of Trustees at a _____ meeting on _____, 2013.

Mary Clark, Clerk
Charter Township of Delta

February 19, 2013

Community Newspapers
11963 West Andre Avenue
Grand Ledge, Michigan 48837

Please publish as follows:

Delta Waverly Community News – February 24, 2013
Grand Ledge Independent – February 24, 2013

DELTA CHARTER TOWNSHIP

7710 W. Saginaw Highway
Lansing, Michigan 48917
517-323-8560

ADOPTION OF CODE OF ORDINANCE AMENDMENT 13-74

SECTION 28-97 UNLAWFUL EXPECTORATION, URINATION AND DEFECATION

The Delta Township Board introduced the following ordinance repeal and ordinance text at its regular meeting held on Monday, February 4, 2013.

The Delta Township Board adopted the following ordinance repeal and ordinance text at its regular meeting held on Monday, February 18, 2013.

THE CHARTER TOWNSHIP OF DELTA ORDAINS TO AMEND THE CODE OF
ORDINANCE OF DELTA TOWNSHIP AS FOLLOWS:

ORDINANCE NO. 13-74

AN ORDINANCE OF THE CHARTER TOWNSHIP OF DELTA, EATON COUNTY, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES, CHARTER TOWNSHIP OF DELTA, MICHIGAN, BE AMENDED BY ADDING A NEW SECTION 28-97 (“UNLAWFUL EXPECTORATION, URINATION AND DEFECATION”) TO ARTICLE III (“OFFENSES AGAINST PROPERTY”) OF CHAPTER 28 (“OFFENSES”) TO MAKE UNLAWFUL PUBLIC EXPECTORATION, URINATION AND DEFECATION; REPEAL ORDINANCES AND PORTIONS OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE; AND PROVIDE AN EFFECTIVE DATE HEREOF.

THE TOWNSHIP BOARD OF TRUSTEES FOR THE CHARTER TOWNSHIP OF



EATON COUNTY OFFICE OF THE SHERIFF

TOM REICH, SHERIFF

JEFFREY COOK, UNDERSHERIFF

FRED MCPHAIL, CHIEF DEPUTY

1025 Independence Blvd ...Charlotte MI 48813 ...Phone 517-543-3512 ...517-372-8217 ...Fax 543-2922

Date: February 15, 2013
To: Delta Township Board
From: Lt. Jeff Campbell
Re: Final Action re: Proposed Prowling/Window Peeping/Trespass Ordinance

I recommend that the Board adopt the proposed Prowling/Window Peeping/Trespassing Ordinance. This ordinance makes it possible for Deputies to address occasional problems with people who are trespassing or prowling on private property without permission, or otherwise invading a person's privacy by engaging in window peeping.

This misdemeanor ordinance will be a useful enforcement tool that fits well with existing ordinances to help us investigate and address complaints from citizens, or problem areas within Delta Township when other legal options may not be available to us.

Therefore, I offer the following for your consideration:

"I move that the Delta Township Board adopt an amendment to the Delta Township Code of Ordinances Article III of Chapter 28 by adding Section 28-96. This proposed ordinance would make it a misdemeanor offense to be on the property of another in the nighttime without permission, looking into the windows and doors of the building, house, dwelling, or structure and trespass as defined in Section 28-96 in the Delta Township Code of Ordinances."

Further, the Township Clerk is hereby directed to publish a notice of adoption in local newspapers, and the amendments shall become effective upon publication."

Respectfully,

Lt. Jeff Campbell

ORDINANCE NO. 28-96

AN ORDINANCE OF THE CHARTER TOWNSHIP OF DELTA, EATON COUNTY, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES, CHARTER TOWNSHIP OF DELTA, MICHIGAN, BE AMENDED BY ADDING A NEW SECTION 28-96 ("PROWLING; PRESENT ON PROPERTY OF ANOTHER IN THE NIGHTTIME WITHOUT PERMISSION; WINDOW PEEPING; TRESPASS") TO ARTICLE III ("OFFENSES AGAINST PROPERTY") OF CHAPTER 28 ("OFFENSES") TO MAKE UNLAWFUL BEING ON THE PROPERTY OF ANOTHER IN THE NIGHTTIME WITHOUT PERMISSION, LOOKING INTO THE WINDOWS AND DOORS OF THE BUILDING, HOUSE, DWELLING, OR STRUCTURE AND TRESPASS; REPEAL ORDINANCES AND PORTIONS OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE; AND PROVIDE AN EFFECTIVE DATE HEREOF.

THE TOWNSHIP BOARD OF TRUSTEES FOR THE CHARTER TOWNSHIP OF DELTA HEREBY ORDAINS:

1. Article III ("Offenses Against Property") of Chapter 28 ("Offenses") is hereby amended as follows:

SECTION 28-96. PROWLING; PRESENT ON PROPERTY OF ANOTHER IN THE NIGHTTIME WITHOUT PERMISSION; WINDOW PEEPING; TRESPASS.

Any person who violates this Section shall be guilty of a misdemeanor subject to imprisonment for not more than 30 days or by a fine of not more \$250.00, or both.

It shall be unlawful for a person to do any of the following:

- A. Prowl about the premises of another, in the nighttime, without authority or permission of the owner of such premises or without authority or permission of the lawful occupants of the premises or an agent of the lawful occupants.
- B. While standing, kneeling or prowling, or unauthorized entry upon the property of another, day or nighttime, without authority or permission of the owner of such premises or without authority or permission of the lawful occupants, looks into or peeps in the windows or doors of any inhabited building, house, dwelling or structure located thereon.
- C. Willfully enter upon the lands or premises of another without lawful authority, after having been forbidden so to do by the owner, occupant or agent of either, or any person being upon the lands or premises of another, upon being notified to depart therefrom by the owner, occupant or agent of either, who, without lawful authority, neglects or refuses to depart therefrom.

2. Severability. If a court of competent jurisdiction declares any provision of this Ordinance, or a statutory provision referred to or adopted by reference herein, to be unenforceable, in whole or in part, such declaration shall only affect the provision held to be

unenforceable and shall not affect any other part or provision. Provided, however, that if a court of competent jurisdiction declares a penalty provision to exceed the authority of the Township, the penalty shall be construed as the maximum penalty that is determined by the court to be within the authority of the Township to impose.

3. Repeal. All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this Ordinance are hereby repealed; provided that any violation charged before the effective date of this Ordinance under an ordinance provision repealed by this Ordinance shall continue under the ordinance provision then in effect.

4. Effective Date. This ordinance shall take effect immediately after final publication.

Ken Fletcher, Supervisor
Charter Township of Delta

I, Mary Clark, Clerk of Charter Township of Delta, hereby certify that the foregoing is a true copy of the original of Ordinance No. ____, enacted by the Charter Township of Delta Board of Trustees at a _____ meeting on _____, 2013.

Mary Clark, Clerk
Charter Township of Delta

State law reference— Trespass, MCL 750.552.

February 19, 2013

Community Newspapers
11963 West Andre Avenue
Grand Ledge, Michigan 48837

Please publish as follows:

Delta Waverly Community News – February 24, 2013
Grand Ledge Independent – February 24, 2013

DELTA CHARTER TOWNSHIP

7710 W. Saginaw Highway
Lansing, Michigan 48917
517-323-8560

**ADOPTION OF CODE OF ORDINANCE AMENDMENT 13-73
SECTION 28-96 PROWLING, WINDOW PEEPING, AND TRESPASSING**

The Delta Township Board introduced the following ordinance repeal and ordinance text at its regular meeting held on Monday, February 4, 2013.

The Delta Township Board adopted the following ordinance repeal and ordinance text at its regular meeting held on Monday, February 18, 2013.

THE CHARTER TOWNSHIP OF DELTA ORDAINS TO AMEND THE CODE OF
ORDINANCE OF DELTA TOWNSHIP AS FOLLOWS:

ORDINANCE NO. 13-73

AN ORDINANCE OF THE CHARTER TOWNSHIP OF DELTA, EATON COUNTY, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES, CHARTER TOWNSHIP OF DELTA, MICHIGAN, BE AMENDED BY ADDING A NEW SECTION 28-96 (“PROWLING; PRESENT ON PROPERTY OF ANOTHER IN THE NIGHTTIME WITHOUT PERMISSION; WINDOW PEEPING; TRESPASS”) TO ARTICLE III (“OFFENSES AGAINST PROPERTY”) OF CHAPTER 28 (“OFFENSES”) TO MAKE UNLAWFUL BEING ON THE PROPERTY OF ANOTHER IN THE NIGHTTIME WITHOUT PERMISSION, LOOKING INTO THE WINDOWS AND DOORS OF THE BUILDING, HOUSE, DWELLING, OR STRUCTURE AND TRESPASS; REPEAL ORDINANCES AND

PORTIONS OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE; AND
PROVIDE AN EFFECTIVE DATE HEREOF.

THE TOWNSHIP BOARD OF TRUSTEES FOR THE CHARTER TOWNSHIP OF
DELTA HEREBY ORDAINS:

1. Article III ("Offenses Against Property") of Chapter 28 ("Offenses") is hereby amended as follows:

**SECTION 28-96. PROWLING; PRESENT ON PROPERTY OF ANOTHER IN THE
NIGHTTIME WITHOUT PERMISSION; WINDOW PEEPING; TRESPASS.**

Any person who violates this Section shall be guilty of a misdemeanor subject to imprisonment for not more than 30 days or by a fine of not more \$250.00, or both.

It shall be unlawful for a person to do any of the following:

- A. Prowl about the premises of another, in the nighttime, without authority or permission of the owner of such premises or without authority or permission of the lawful occupants of the premises or an agent of the lawful occupants.
 - B. While standing, kneeling or prowling, or unauthorized entry upon the property of another, day or nighttime, without authority or permission of the owner of such premises or without authority or permission of the lawful occupants, looks into or peeps in the windows or doors of any inhabited building, house, dwelling or structure located thereon.
 - C. Willfully enter upon the lands or premises of another without lawful authority, after having been forbidden so to do by the owner, occupant or agent of either, or any person being upon the lands or premises of another, upon being notified to depart therefrom by the owner, occupant or agent of either, who, without lawful authority, neglects or refuses to depart therefrom.
2. Severability. If a court of competent jurisdiction declares any provision of this Ordinance, or a statutory provision referred to or adopted by reference herein, to be unenforceable, in whole or in part, such declaration shall only affect the provision held to be unenforceable and shall not affect any other part or provision. Provided, however, that if a court of competent jurisdiction declares a penalty provision to exceed the authority of the Township, the penalty shall be construed as the maximum penalty that is determined by the court to be with the authority of the Township to impose.
 3. Repeal. All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this Ordinance are hereby repealed; provided that any violation charged before the effective date of this Ordinance under an ordinance provision repealed by this Ordinance shall continue under the ordinance provision then in effect.

4. Effective Date. This ordinance shall take effect immediately after final publication.

CHARTER TOWNSHIP OF DELTA
MARY CLARK, TOWNSHIP CLERK

Copies of this ordinance may be purchased or inspected in the office of the Township Clerk from 8:00 a.m. to 5:00 p.m., Monday through Friday except holidays.

MEMO

TO: Township Board
Delta Charter Township

FROM: Gary Bozek
Assistant Community Development Department Director

DATE: February 13, 2013

SUBJECT: Final Consideration of f Proposed Zoning Ordinance Amendments Pertaining to On-Site Stormwater Facilities (Case No. 12-12-16)

The Michigan Department of Environmental Quality (MDEQ) entered a new permit cycle in January of 2013 for the issuance of new Stormwater Discharge Permits to local public agencies and municipalities. As part of the new part permit, local jurisdictions, including Delta Township, are expected to adopt regulations for the review, approval, development, and monitoring of stormwater facilities. In our case, it is the Eaton County Drain Commissioner's (ECDC) Office that has the ultimate jurisdiction over stormwater facilities developed in the Township. The Township's site plan review requirements within the Zoning Ordinance currently references the ECDC's role, but does not go far enough to put developers' on notice the extent to which they must meet the ECDC's requirements.

Based on staff's attendance at several meetings held by the MDEQ aimed at educating local agencies on this issue, staff is proposing amendments to the Township's Site Plan Review regulations to more explicitly express the developers' need to comply with the ECDC's requirements. The "post-construction" language is critical for complying with MDEQ's stormwater discharge permit requirements. The purpose of the amendments is to ensure compliance with Federal and State Phase II stormwater regulations. The existing and proposed Zoning Ordinance language is attached for your review.

The proposed amendments to Section 19.10.0 (10) A. pertaining to Stormwater Management Facilities requirements were discussed at the Board's December 10, 2012 Committee of the Whole meeting. . The Board formally sponsored and referred the amendments to the Planning Commission on December 17, 2012. The Planning Commission held a public hearing on the proposed amendments on January 28, 2013, and recommended adoption of the amendments as drafted by staff by a vote of 8 to 0. (See attached minutes). The amendments were formally introduced by the Township Board on February 4, 2013. They are now being presented to the Board for final consideration on February 18, 2013 regular meeting. The following motion is offered for the Board's consideration:

"I move that the Delta Township Board adopted the proposed Zoning Ordinance text amendments prepared by staff pertaining to On-Site Stormwater Management Facilities in Section 19.10.0 A.(10) of the Delta Township Zoning Ordinance, and described in Case No. 12-12-16.

Please contact me if you have any questions.

/gb

Attachments

\\TSCIENT\K\PLANNING\GARY BOZEK\RPT\AMENDMENTS\STORMWATER SPR ZO AMENDMENTS BRD ADOPTION MEMO.DOC

Summary Record of Public Hearing for Case No. 12-12-16, Proposed Zoning Ordinance Amendments Pertaining to On-Site Stormwater Facilities for Compliance with Federal & State Phase Two Stormwater Regulations. January 28, 2013.

Members in attendance: Schweitzer, Cascarilla, Laforet, Lathrop, MacLaren, McConnell, Mudry, and Ruswinckel.

Members absent: Gabriel

Assistant Community Development Department Director Gary Bozek stated that changes were being proposed to Section 19.10.0 A.(10) of the Zoning Ordinance which pertained to on-site stormwater management facilities. Mr. Bozek noted that the Township was entering a new cycle for the issuance of Stormwater Discharge Permits by the State, and in order to comply with the permit requirements, specific language was needed that dealt with post construction monitoring, channel protection, and water quality of stormwater facilities. He noted that staff had proposed to expand Section 19.10.0 A.(10) and add language in a manner that would comply with the permit requirements. Mr. Bozek noted that all storm drains in the Township were under the jurisdiction of the Eaton County Drain Commissioner's Office, but the Township was responsible for its own municipal buildings and facilities to make sure they were in compliance. He indicated that the proposed amendments would include language that would meet the permit requirements, as well as make it clear that the Eaton County Drain Commissioner's Office had ultimate control over stormdrains.

There was no one in the audience to speak on this matter.

MOTION BY MCCONNELL, SECONDED BY MACLAREN, THAT THE PUBLIC HEARING BE CLOSED. VOICE VOTE. CARRIED 8-0.

MOTION BY CASCARILLA, SECONDED BY LAFORET, THAT THE DELTA TOWNSHIP PLANNING COMMISSION RECOMMEND TO THE DELTA TOWNSHIP BOARD APPROVAL OF THE PROPOSED ZONING ORDINANCE TEXT AMENDMENTS PREPARED BY STAFF PERTAINING TO ON-SITE STORMWATER MANAGEMENT FACILITIES IN SECTION 19.10./0 A.(10) OF THE DELTA TOWNSHIP ZONING ORDINANCE, AND DESCRIBED IN CASE NO. 12-12-16.

ROLL CALL VOTE. CARRIED 8-0.

Respectfully submitted,

Andrea Cascarilla, Secretary

Minutes prepared by Anne Swink

PROPOSED ZONING ORDINANCE AMENDMENTS PERTAINING TO ON-SITE
STORMWATER FACILITIES FOR COMPLIANCE WITH FEDERAL PHASE II
STORMWATER REGULATIONS.

Existing Language:

Section 19.10.0A.

- (10) Appropriate measures shall be taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions shall be made to accommodate storm water, prevent erosion and the formation of dust. The use of detention/retention ponds may be required. Surface water on all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic or create puddles in paved areas. All on-site storm drainage facilities shall be developed in accordance with the specifications of the Eaton County Drain Commissioner's Office and/or the Township Engineer, as applicable.

Proposed Language:

Section 19.10.0 A.

- (10) On-site stormwater management facilities shall be provided as follows:
- (a) Appropriate measures shall be taken to ensure that stormwater runoff will not adversely affect neighboring properties or the public storm drainage system. Provisions shall be made for the construction of stormwater management facilities that prevent flooding, erosion, and dust formation. Surface water on all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic and will not pool in paved areas.
 - (b) Stormwater detention, retention, transport, and drainage facilities shall be designed to prevent the pollution of surface or groundwater resources, on-site or off-site. On-site stormwater management facilities shall be reviewed, approved, constructed, and maintained in accordance with the applicable rules, regulations, and specifications of the Eaton County Drain Commissioner's (ECDC) Office. Said facilities shall also conform to the requirements of the ECDC's current standards for post-construction controls for channel protection and water quality as described in the ECDC's current MS4 Stormwater Discharge Permit issued by the Michigan Department of Environmental Quality (MDEQ).

February 19, 2013

Community Newspapers
11963 West Andre Avenue
Grand Ledge, Michigan 48837

Please publish as follows:

Delta Waverly Community News – February 24, 2013
Grand Ledge Independent – February 24, 2013

DELTA CHARTER TOWNSHIP

7710 W. Saginaw Highway
Lansing, Michigan 48917
517-323-8560

303.82

**ADOPTION OF ZONING ORDINANCE AMENDMENTS
On-Site Stormwater Management Facilities – Case No. 12-12-16**

The Delta Township Board introduced the following zoning ordinance at its regular meeting held on Monday, February 4, 2013.

The Delta Township Board adopted the following zoning ordinance at its regular meeting held on Monday, February 18, 2013.

THE CHARTER TOWNSHIP OF DELTA ORDAINS TO AMEND THE DELTA TOWNSHIP
ZONING ORDINANCE AS FOLLOWS:

Section 19.10.0 A.

(10) On-site stormwater management facilities shall be provided as follows:

- (a) Appropriate measures shall be taken to ensure that stormwater runoff will not adversely affect neighboring properties or the public storm drainage system. Provisions shall be made for the construction of stormwater management facilities that prevent flooding, erosion, and dust formation. Surface water on all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic and will not pool in paved areas.

- (b) Stormwater detention, retention, transport, and drainage facilities shall be designed to prevent the pollution of surface or groundwater resources, on-site or off-site. On-site stormwater management facilities shall be reviewed, approved, constructed, and maintained in accordance with the applicable rules, regulations, and specifications of the Eaton County Drain Commissioner's (ECDC) Office. Said facilities shall also conform to the requirements of the ECDC's current standards for post-construction controls for channel protection and water quality as described in the ECDC's current MS4 Stormwater Discharge Permit issued by the Michigan Department of Environmental Quality (MDEQ).

SEVERABILITY If any clause, sentence, paragraph, or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

REPEAL All ordinances or parts of ordinances of the Charter Township of Delta inconsistent herein are hereby repealed so far as they may be inconsistent with the provisions of this Ordinance.

EFFECTIVE DATE This Ordinance shall take effect upon final publication as required by law.

CHARTER TOWNSHIP OF DELTA
MARY CLARK, TOWNSHIP CLERK

Copies of this ordinance may be purchased or inspected in the office of the Township Clerk from 8:00 a.m. to 5:00 p.m., Monday through Friday except holidays.

DELTA CHARTER TOWNSHIP
FINANCE REPORT
FOR TOWNSHIP BOARD MEETING
02/18/2013

Disbursement requests listed on the following pages, totaling \$
667,015.81 have been received and reviewed by the Manager, Finance
Director, and Clerk. It is recommended that all listed vouchers be approved for
payment.

Bond/Debt Payments

Investments

Payroll & Related	315,652.89
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Refunds	19,202.73
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Tax Distributions

Vendor Claims	332,160.19
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Total	\$ 667,015.81
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Ken Fletcher, Township Supervisor

Mary Clark, Township Clerk

Howard Pizzo, Township Treasurer

PAYABLES FC
BOARD

Check Date	Check	Vendor Name
02/06/2013	280956	JACKLIN BLODGETT
02/06/2013	280957	LORI BOLAN
02/06/2013	280958	ROBERT BROWN
02/06/2013	280959	BSN SPORTS
02/06/2013	280960	COMCAST
02/06/2013	280961	CONSUMERS ENERGY
02/06/2013	280962	CONSUMERS ENERGY
02/06/2013	280963	DEBRA DUFFY
02/06/2013	280964	EATON COUNTY TREASURER
02/06/2013	280965	EATON COUNTY TREASURER
02/06/2013	280966	EMPLOYEE BENEFIT CONCEPTS INC.
02/06/2013	280967	EP IMAGES
02/06/2013	280968	THOMAS FITZ
02/06/2013	280969	BRIANNA FLOWERS
02/06/2013	280970	MICHAELLA GRAHAM
02/06/2013	280971	CHELSEY HANNA
02/06/2013	280972	MARALYN HYDE
02/06/2013	280973	CONNER KELLY
02/06/2013	280974	PAUL LAMACCHIA
02/06/2013	280975	CASSIE LAMACCHIA
02/06/2013	280976	LANSING BOARD OF WATER & LIGHT
02/06/2013	280977	LANSING BOARD OF WATER & LIGHT
02/06/2013	280978	LANSING BOARD OF WATER & LIGHT
02/06/2013	280979	MARISA MALDONADO
02/06/2013	280980	CAROLYN MCARTHUR
02/06/2013	280981	MCMASTER-CARR SUPPLY CO.
02/06/2013	280982	MOTION INDUSTRIES, INC.
02/06/2013	280983	BILL ANDERSON
02/06/2013	280984	LOIS BOONSTRA
02/06/2013	280985	SHIELDS & SONS PLBG & HTG
02/06/2013	280986	PRODUCTION TOOL SUPPLY CO.
02/06/2013	280987	MITCH SIMON
02/06/2013	280988	JUDITH STURLEY
02/06/2013	280989	CORE LOGIC
02/06/2013	280990	LSI FUNDING
02/06/2013	280991	LITTLEJOHN, MICHAEL D & BARBAR
02/06/2013	280992	HOME TITLE OF AMERICA
02/06/2013	280993	CORE LOGIC
02/06/2013	280994	HOME DEPOT USA INC
02/06/2013	280995	HOME DEPOT USA INC
02/06/2013	280996	NATIONAL TAX SEARCH LLC

OR DELTA CHARTER TOWNSHIP
 AGENDA DATE 2/18/2013

Description	Amount
CONTRACTUAL - AQUATICS	30.00
CONTRACTUAL - AQUATICS	70.00
CONTRACTUAL - YOUTH BBALL	57.37
SOCCER NETS	328.97
HIGH SPEED INTERNET	177.30
GAS FOR 5317 LANSING RD	243.51
STREET LIGHTS	2,946.70
CONTRACTUAL - AQUATICS	30.00
REIMBURSE SALE OF DOG LICENSES	2,079.00
MTT TAX YEAR CHANGES	468.30
MONTHLY ADMINISTRATION FEE FEB	120.00
WINDOW ENVELOPES	142.17
CONTRACTUAL - YOUTH BBALL	59.50
CONTRACTUAL - YOUTH BBALL	123.25
CONTRACTUAL - YOUTH BBALL	136.00
CONTRACTUAL - YOUTH BBALL	59.50
CONTRACTUAL - AQUATICS	280.00
CONTRACTUAL - YOUTH BBALL	125.37
CONTRACTUAL - YOUTH BBALL	216.75
CONTRACTUAL - YOUTH BBALL	59.50
ELECTRICITY FOR VARIOUS ACCTS	4,260.50
ELECTRICITY FOR VARIOUS ACCTS	2,242.08
STREET LIGHTING IN DELTA TWP	39,674.18
CONTRACTUAL - YOUTH BBALL	56.00
CONTRACTUAL - AQUATICS	60.00
FLIP TOP BATTERY CELL, O-RING, MEAS TAPE	237.44
WHEEL BEARING SEALS FOR WOOD CHIPPER	30.86
REFUND OVERPAYMENT	7.00
REFUND TERM	55.00
REFUND OVERPMT PERMIT PM130049	20.00
DRILL BIT SHARPENER	178.10
CONTRACTUAL - YOUTH BBALL	118.00
CONTRACTUAL - AQUATICS	80.00
REFUND OVERPMT WTAX 040-088-008-070-00	256.06
REFUND OVERPMT WTAX 040-046-500-970-00	37.71
REFUND OVERPMT WTAX 040-048-300-290-00	440.09
REFUND OVERPMT WTAX 040-082-000-690-00	53.12
REFUND CARRIER CREEK ASSESSMENT	2,230.44
REFUND MTT 414677 HOME DEPOT	3,744.16
REFUND MTT #414677 HOME DEPOT	5,788.59
REFUND OVERPMT WTAX 040-014-200-351-00	4,178.44

02/06/2013	280997	NATIONAL TAX SEARCH
02/06/2013	280998	TDS METROCOM
02/06/2013	280999	TRACTOR SUPPLY CREDIT PLAN
02/06/2013	281000	VERIZON
02/07/2013	281002	STATE OF MICHIGAN
02/07/2013	281003	STATE OF MICHIGAN
02/13/2013	281004	ALLY FINANCIAL INC
02/13/2013	281005	ALRO STEEL
02/13/2013	281007	CAPITAL AREA UNITED WAY
02/13/2013	281008	CARQUEST - THE PARTS PLACE
02/13/2013	281010	COMCAST
02/13/2013	281012	EATON COUNTY TREASURER
02/13/2013	281013	EATON COUNTY TREASURER
02/13/2013	281014	FIREFIGHTERS ASSO OF MICHIGAN
02/13/2013	281015	BARBARA FOLEY
02/13/2013	281016	BARBARA FOLEY
02/13/2013	281018	KATIE HUBBARD
02/13/2013	281019	LANSING BOARD OF WATER & LIGHT
02/13/2013	281021	MCMASTER-CARR SUPPLY CO.
02/13/2013	281022	MICHIGAN EDUCATION TRUST
02/13/2013	281024	WALLY LANDIS
02/13/2013	281025	ROSE PERRY
02/13/2013	281026	PITNEY BOWES, INC
02/13/2013	281027	PRODUCTION TOOL SUPPLY CO.
02/20/2013	281029	AIRGAS USA, LLC
02/20/2013	281030	AMBS MESSAGE CENTER
02/20/2013	281031	AUTO VALUE PARTS STORE
02/20/2013	281032	BELLE TIRE
02/20/2013	281033	BENTLEY SYSTEMS, INC.
02/20/2013	281034	CLEARZONING, INC.
02/20/2013	281035	BOYNTON FIRE SAFETY SERVICE
02/20/2013	281036	BS&A SOFTWARE
02/20/2013	281037	BSN SPORTS
02/20/2013	281038	CAROL'S APPAREL
02/20/2013	281039	CDW GOVERNMENT INC.
02/20/2013	281040	CINTAS CORPORATION #725
02/20/2013	281041	DIESEL EQUIPMENT SALES & SERVICE
02/20/2013	281042	EATON COUNTY CLERK
02/20/2013	281043	ETNA SUPPLY COMPANY
02/20/2013	281044	EXOTIC AUTOMATION & SUPPLY
02/20/2013	281045	FACILITY SOLUTIONS, INC.
02/20/2013	281046	FARM PLAN
02/20/2013	281047	FIBERTEC ENVIRONMENTAL SERVICES
02/20/2013	281048	FULTON ELECTRONIC SUPPLY
02/20/2013	281049	GANNETT MICHIGAN NEWSPAPERS

REFUND OVERPMT WTAX 040-014-200-400-00	2,287.12
TELEPHONE	18.94
STATEMENT FOR SUPPLIES & MATERIALS	299.42
DATA CHARGES PHONES & IPAD	272.22
NOTARY LICENSE RENEWAL	10.00
NOTARY LICENSE RENEWAL	10.00
PAYROLL WITHHOLDING	125.00
STEEL - NEW GATES AT HAWK MEADOW	112.74
PAYROLL WITHHOLDING	31.00
AUTO SUPPLIES FOR VEHICLE REPAIR	185.72
HIGH SPEED INTERNET	84.95
MTT TAX YEAR CHANGES	140.72
MTT TAX YEAR CHANGES	908.43
PR W/H UNION DUES	1,020.00
PAYROLL WITHHOLDING	650.00
PAYROLL WITHHOLDING	170.13
CONTRACTUAL - CHAIR EXERCISE CLASS	56.00
ELECTRICITY FOR VARIOUS ACCTS	35,640.75
SS & BRASS FITTINGS	105.59
PAYROLL WITHHOLDING	180.00
REFUND TRIP CANCELLED	70.00
REFUND TRIP CANCELLED	35.00
POSTAGE SUPPLIES	78.31
BANDSAW BLADES	24.75
PROPANE	40.95
ANSWERING SERVICE FOR CEMETERIES	265.33
VEHICLE MAINT PARTS	201.23
ALIGNMENT ON WWTP VEHICLE	49.90
WATERGEMS FOR GIS	600.00
COMPREHENSIVE PLAN UPDATE	423.50
RECHARGE DRY CHEM FIRE EXT 7720 ADMIN	42.00
BS&A DATABASES ANNUAL SUPPORT	7,460.00
BLEACHERS BALL FIELDS REPAIRS	4,099.96
SHIRTS FOR PARKS PROGRAMS	1,627.25
IPADS, SOFTWARE, COMPUTER EQUIP	2,400.07
BROWN TWP MATS	84.00
GENERATOR BLOCK HEATER	149.99
M100 PROGRAM, AUOTMARK, PC CARD	1,689.04
BUTTONS FOR WATER METER END UNITS	1,000.00
PIPE FITTINGS AND EQUIP SUPPLIES	370.66
BUILDING MAINT SUPPLIES	518.27
EQUIPMENT MAINTENANCE	713.74
LAB TEST WWTP	25.00
BATTERIES FOR WATER TOWERS	661.20
ADVERTISING	1,942.13

02/20/2013	281050	GORDON FOOD SERVICE, INC.
02/20/2013	281051	GRAINGER
02/20/2013	281052	GRAND LEDGE FORD
02/20/2013	281053	GRAYMONT CAPITAL INC.
02/20/2013	281054	GREAT LAKES EXPRESS SERVICE, INC.
02/20/2013	281055	GUEST SERVICES
02/20/2013	281056	H&H WELDING & REPAIR LLC
02/20/2013	281057	KENNETH HERMAN
02/20/2013	281058	JEFFREY HICKS
02/20/2013	281059	IMERYS
02/20/2013	281060	INTERNATIONAL ASSO ELECTRICAL INSP
02/20/2013	281061	INTERNATIONAL ASSO ELECTRICAL INSP
02/20/2013	281062	INTERNATIONAL ASSO ELECTRICAL INSP
02/20/2013	281063	JAMMIN' DJ'S LLC
02/20/2013	281064	JOHN DEERE LANDSCAPES/LESCO
02/20/2013	281065	KENDALL ELECTRIC, INC.
02/20/2013	281066	LANSING BOARD OF WATER & LIGHT
02/20/2013	281067	LANSING BOARD OF WATER & LIGHT
02/20/2013	281068	LORTEC SALES
02/20/2013	281069	LOUIS PADNOS IRON & METAL CO.
02/20/2013	281070	MASA
02/20/2013	281071	MCNAMARA'S HEATING & COOLING
02/20/2013	281072	MENARDS
02/20/2013	281073	MICHIGAN PETROLEUM
02/20/2013	281074	MPC CASH-WAY LUMBER CO. INC.
02/20/2013	281075	NFPA
02/20/2013	281076	O'LEARY PAINT CO.
02/20/2013	281077	PIAM
02/20/2013	281078	PRECISION PARTS & TOOLING
02/20/2013	281079	PROCESS ENGINEERING AND
02/20/2013	281080	PURITY CYLINDER GASES, INC
02/20/2013	281081	PVS TECHNOLOGIES, INC.
02/20/2013	281082	QUALITY TIRE, INC.
02/20/2013	281083	RALEY BROTHERS, INC.
02/20/2013	281084	INTERSTATE BILLING
02/20/2013	281085	JUSTIN STRACK
02/20/2013	281086	TERRA CONTRACTING, LLC
02/20/2013	281087	WALLACE OPTICIANS
02/20/2013	281088	WAVERLY SCHOOLS
02/20/2013	281089	WAVERLY COMMUNITY SCHOOLS

WATER FOR P&R KICKBALL	48.20
DRIVER GLOVES, SPLIT LEATHER,SUPPLIES	708.36
HOSE & CLAMPS FIRE VEHICLE	86.17
LIME FOR WWTP	4,770.00
MONTHLY MAIL SERVICE	294.00
COURSE DATES 3/11-3/22 M.MARTIN	300.48
BARSCREEN RACKS WELDING	612.00
REIMBURSE PESTICIDE APPLICATOR FEE	75.00
REIMBURSE MTA CONFERENCE EXP & MILEAGE	103.28
BALL DIAMOND MARKING POWDER	2,472.96
MEMBERSHIP RENEWAL D.WILLIAMS	102.00
MEMBERSHIP RENEWAL R. KINSMAN	102.00
SPRING MEETING	140.00
DJ FOR MOTHER SON DANCE	200.00
SIDEWALK SALT	300.32
PARTS FOR PARKS ALARM SYSTEM	2,118.44
WHOLESALE WATER	159,286.54
WHOLESALE WATER	1,237.85
OIL FILTERS	38.20
BLEACHER FRAMES	116.00
ANNUAL ORDER OF SOFTBALLS	3,570.00
COP SHOP FURNACES NO HEAT	415.00
FURNACE STACK REPLACE PARTS	309.49
GREASE FOR PLANT MAINTENANCE	516.80
TRASH CAN REPLACEMENT	80.00
MEMBERSHIP RENEWAL D.WILLIAMS	165.00
PAINT FOR CHIPPER BOX & PICNIC TABLES	75.84
MEMBERSHIP RENEWAL	70.00
SHAFT & AUGER REPAIR	100.00
PUMP GASKETS	104.08
OXYGEN	86.20
FERRIC CHLORIDE	5,771.29
2 VAN TIRES	257.34
MOTOR FOR UTILITY OPS HEATING SYSTEM	215.50
BRUSH CHIPPER	168.71
REIMBURSE PESTICIDE APPLICATOR FEE	75.00
HUNTINGTON ACRES UTILITIES PROJECT	29,446.75
SAFETY GLASSES	132.28
CUSTODIAL SERVICES 01/12/13	315.00
CUSTODIAL SERVICES 12/15/12 4 HRS	140.00
<hr/>	
PAYABLES	353,508.05
PAYROLL	313,507.76
GRAND TOTAL	\$667,015.81

CHARTER TOWNSHIP OF DELTA
Public Meeting Room A
Delta Township Administration Building
7710 West Saginaw Highway
Lansing MI 48917

**TOWNSHIP BOARD REGULAR MEETING MINUTES FOR
MONDAY, FEBRUARY 4, 2013**

I. CALL TO ORDER

Supervisor Kenneth Fletcher called the meeting to order at 6:00 p.m.

II. OPENING CEREMONIES – Pledge of Allegiance

III. ROLL CALL

Members Present: Trustee Karen Mojica, Trustee Jeff Hicks, Trustee Dennis Fedewa, Treasurer Howard Pizzo, Clerk Mary Clark, and Supervisor Kenneth Fletcher. Trustee Doug Kosinski arrived at 6:14 p.m.

Members Absent:

Others Present: Community Development Director Mark Graham, Lt. Jeff Campbell, Township Manager Richard Watkins, and Deputy Manager Jenny Roberts

TRUSTEE HICKS MOVED THAT TRUSTEE KOSINSKI BE EXCUSED.
TRUSTEE FEDEWA SUPPORTED THE MOTION. MOTION PASSED 6-0.

IV. PRESENTATIONS AND PROCLAMATIONS

1. Eaton County Sheriff Reich

Sheriff Reich said he hoped to attend as many Board meetings as possible to show the Sheriff Department's commitment towards working with the Township in providing public safety.

V. SET/ADJUST AGENDA

TRUSTEE FEDEWA MOVED THAT THE AGENDA BE APPROVED AS SUBMITTED.

TREASURER PIZZO SUPPORTED THE MOTION. MOTION PASSED 6-0.

VI. PUBLIC HEARINGS - None

VII. COMMUNICATIONS – None

VIII. PUBLIC COMMENTS FOR ITEMS NOT ON AGENDA - None

IX. INTRODUCTION OF ORDINANCES

2. **Introduction of Proposed Amendments to Chapter 28 of the Delta Township Code of Ordinances** – Lt. Campbell recommends that the Township Board introduce amendments to the Code of Ordinances by adding a new Section 28-95, Curfew for Minors.

CLERK CLARK MOVED THAT THE DELTA TOWNSHIP BOARD INTRODUCE AN AMENDMENT TO THE DELTA TOWNSHIP CODE OF ORDINANCES ARTICLE I OF CHAPTER 28. THIS PROPOSED ORDINANCE WOULD ESTABLISH CURFEWS FOR MINORS, AS DEFINED IN SECTION 28-95 IN THE DELTA TOWNSHIP CODE OF ORDINANCES. FURTHER, THE TOWNSHIP CLERK IS HEREBY DIRECTED TO ADVERTISE THIS INTRODUCTION IN LOCAL NEWSPAPERS, AND INDICATE THAT THE BOARD WILL CONSIDER FINAL ACTION ON THE AMENDMENT AT THEIR FEBRUARY 18, 2013 MEETING.

TRUSTEE MOJICA SUPPORTED THE MOTION.

Treasurer Pizzo questioned if the proposed amendment took Trustee Kosinski's concerns into consideration regarding parental responsibilities.

Lt. Campbell said the language contained in the ordinance had been changed so that the parental responsibility element of the ordinance only applied upon a second or subsequent offense. He noted that the ordinance contained a number of elements that were more restrictive than State law when dealing with a minor out after curfew.

Trustee Kosinski felt the changes made to the proposed language addressed the concerns he had previously expressed.

MOTION PASSED 7-0.

3. **Introduction of Proposed Amendments to Chapter 28 of the Delta Township Code of Ordinances** – Lt. Campbell recommends that the Township Board introduce amendments to the Code of Ordinances by adding a new Section 28-96, Prowling, Window Peeping, and Trespassing.

TREASURER PIZZO MOVED THAT THE DELTA TOWNSHIP BOARD INTRODUCE AN AMENDMENT TO THE DELTA TOWNSHIP CODE OF ORDINANCES ARTICLE III OF CHAPTER 28 BY ADDING. THIS PROPOSED ORDINANCE WOULD MAKE IT A MISDEMEANOR OFFENSE TO BE ON THE PROPERTY OF ANOTHER IN THE NIGHTTIME WITHOUT PERMISSION, LOOKING INTO THE WINDOWS AND DOORS OF THE BUILDING, HOUSE, DWELLING, OR STRUCTURE AND TRESPASS AS DEFINED IN SECTION 28-96 IN THE DELTA TOWNSHIP CODE OF ORDINANCES. FURTHER, THE TOWNSHIP CLERK IS HEREBY DIRECTED TO ADVERTISE THIS INTRODUCTION IN LOCAL NEWSPAPERS, AND INDICATE THAT THE BOARD WILL CONSIDER FINAL ACTION ON THE AMENDMENT AT THEIR FEBRUARY 18, 2013 MEETING.

Trustee Fedewa questioned how the word “trespass” was defined in the ordinance.

Lt. Campbell said the ordinance defined “trespass” as unlawfully being on the property of another or the representative of the business after being asked to leave. Lt. Campbell noted that the proposed amendment mirrored the State’s trespassing law.

TRUSTEE HICKS SUPPORTED THE MOTION. MOTION PASSED 7-0.

4. **Introduction of Proposed Amendments to Chapter 28 of the Delta Township Code of Ordinances** – Lt. Campbell recommends that the Township Board introduce amendments to the Code of Ordinances by adding a new Section 28-97, Unlawful Expectoration, Urination, and Defecation.

CLERK CLARK MOVED THAT THE DELTA TOWNSHIP BOARD INTRODUCE AN AMENDMENT TO THE DELTA TOWNSHIP CODE OF ORDINANCES ARTICLE III OF CHAPTER 28. THIS PROPOSED ORDINANCE WOULD MAKE IT A MISDEMEANOR OFFENSE TO EXPECTORATE, URINATE, OR DEFECATE IN PUBLIC SPACES OR PRIVATE PLACES WHILE SUCH ACT IS OPEN TO THE PUBLIC VIEW AS DEFINED IN SECTION 28-94 IN THE DELTA TOWNSHIP CODE OF ORDINANCES. FURTHER, THE TOWNSHIP CLERK IS HEREBY DIRECTED TO ADVERTISE THIS INTRODUCTION IN LOCAL NEWSPAPERS, AND INDICATE THAT THE BOARD WILL CONSIDER FINAL ACTION ON THE AMENDMENT AT THEIR FEBRUARY 18, 2013 MEETING.

TREASURER PIZZO SUPPORTED THE MOTION.

Trustee Hicks inquired about the term “expectorate” and the issues surrounding the proposed amendment. He felt the proposed ordinance was somewhat broad and archaic.

Lt. Campbell said the proposed amendment was a housekeeping measure that combined other ordinances into one and that urinating, spitting, and defecating in public were not previously covered under disorderly conduct.

Lt. Campbell said the ordinance would provide law enforcement with the capabilities to address a problem before it became a bigger problem.

Trustee Fedewa understood Mr. Hick's concerns, but spitting potentially posed a public health risk.

VOICE VOTE. CARRIED 7-0.

5. **Introduction of Proposed Zoning Ordinance Amendments pertaining to On-Site Stormwater Facilities for Compliance with Federal & State Phase Two Stormwater Regulations (Case No. 12-12-16)** – The Community Development Department recommends that the Delta Township Board introduce proposed Zoning Ordinance text amendments pertaining to On-Site Stormwater Management Facilities in Section 19.10.0 A.(10) of the Delta Township Zoning Ordinance.

TRUSTEE FEDEWA MOVED THAT THE DELTA TOWNSHIP BOARD INTRODUCE THE PROPOSED ZONING ORDINANCE TEXT AMENDMENTS PREPARED BY STAFF PERTAINING TO ON-SITE STORMWATER MANAGEMENT FACILITIES IN SECTION 19.10.0 A.(10) OF THE DELTA TOWNSHIP ZONING ORDINANCE, AND DESCRIBED IN CASE NO. 12-12-16. FURTHER, THESE AMENDMENTS SHALL BE CONSIDERED FOR FINAL ACTION BY THE BOARD AT THE FEBRUARY 18, 2013 REGULAR MEETING, AND THE CLERK IS HEREBY DIRECTED TO PUBLISH NOTICE OF SAID MEETING IN THE LOCAL NEWSPAPERS.

TREASURER PIZZO SUPPORTED THE MOTION. MOTION PASSED 7-0.

X. PASSAGE OF ORDINANCES - None

XI. CONSENT AGENDA

TREASURER PIZZO MOVED THAT THE CONSENT AGENDA BE APPROVED AS SUBMITTED.

TRUSTEE FEDEWA SUPPORTED THE MOTION.

ROLL CALL:

AYES: TREASURER PIZZO, TRUSTEE HICKS, TRUSTEE MOJICA,
 TRUSTEE KOSINSKI, TRUSTEE FEDEWA, CLERK CLARK,
 AND SUPERVISOR FLETCHER

NAYS: NONE

ABSENT: NONE

MOTION PASSED 7 TO 0.

6. Bills & Financial Transactions - \$1,493,135.66

TREASURER PIZZO MOVED THAT THE BILLS & FINANCIAL TRANSACTIONS BE APPROVED IN THE AMOUNT OF \$1,493,135.66.

Bond/Debt Payments	\$
Investments	\$
Payroll & Related	\$316,803.67
Refunds	\$ 14,380.77
Tax Distributions	\$735,990.76
Vendor Claims	\$425,960.46

TRUSTEE FEDEWA SUPPORTED THE MOTION. MOTION PASSED 7-0.

7. Minutes – January 22, 2013 Regular Board Meeting Minutes

TREASURER PIZZO MOVED THAT THE JANUARY 22, 2013 REGULAR BOARD MEETING MINUTES BE APPROVED AS PRESENTED.

TRUSTEE FEDEWA SUPPORTED THE MOTION. MOTION PASSED 7-0.

XII. ITEMS REMOVED FROM CONSENT AGENDA FOR DISCUSSION - None

XIII. ITEMS ADDED TO AGENDA UNDER SECTION V. SET/ADJUST AGENDA - None

XIV. ITEMS OF BUSINESS – None

XV. MANAGER'S REPORT

Township Manager Watkins informed the Board of the following:

- Pictures of newly elected Board members would be taken before the start of the Board's February 18th meeting.
- The Township Manager and Deputy Manager attended the Winter Institute of the Michigan Local Government Managers conference last week which addressed communication and coaching.

XVI. COMMITTEE OF THE WHOLE

8. Overview of Comprehensive Plan – Mark Graham

Community Development Director Mark Graham provided an overview of the 2013 Comprehensive Plan which was adopted on January 28, 2013 by the Planning Commission. The Plan would be presented to the Board at their February 18th for their review and acceptance of the Plan.

Treasurer Pizzo said two areas of the Plan that he felt were significant was the potential in the future to expend public utilities to the Delta Mills area north of the river and the Low Density Residential and Agricultural zoning classifications that existed west of the freeway and the potential for future growth.

XVII PUBLIC COMMENTS

Trustee Fedewa inquired as to whether an invitation had ever been extended to the Chairperson of the Planning Commission to address the Board regarding the Comprehensive Plan.

Mr. Graham said he would extend the invitation to the Chairperson to attend the Board's February 18th meeting.

XVIII ADJOURNMENT

Supervisor Fletcher adjourned the meeting at 6:44 p.m.

CHARTER TOWNSHIP OF DELTA

KENNETH FLETCHER, SUPERVISOR

MARY CLARK, CLERK

/as

M:\Regular Board Meeting\BD\MIN\February 4, 2013

Minutes Approved:

February 14, 2013

TO: Delta Township Board

FROM: Supervisor Ken Fletcher

RE: Appointment to the Economic Development Corporation's Board of Directors

I respectfully submit for your consideration the appointments of Justin Himebaugh, 5227 Fairbanks, Lansing, 48917, and Toni Griffin, 807 Maycroft Road, Lansing, 48917, to the Economic Development Corporation's Board of Directors for terms that expire on January 31, 2019.

Therefore, I offer the following:

"I move that the Delta Township Board appoint Justin Himebaugh and Toni Griffin to the Economic Development Corporation for terms that expire on January 31, 2019."

Thank you.



APPLICATION FOR DELTA TOWNSHIP BOARDS & COMMISSIONS

I am a resident of Delta Township and interested in serving on one or more of the following Boards and Commissions checked below:

☐ Planning Commission
☐ Zoning/Sign Board of Appeals
☐ Parks, Recreation & Cemeteries Commission
☐ District Library Board
☒ Economic Development Corporation
☐ Property Maintenance Board of Appeals

☐ Mechanical & Building Board of Appeals*
☐ Plumbing Board of Appeals*
☐ Electrical Board of Appeals*
☐ Fire Board of Appeals*
☐ Board of Review*

(*Special qualifications may restrict eligibility for appointment)

Name: GRIFIN TONI M
(Last) (First) (M.I.)

Address: 8017 MAUCROFT RD LANSING MI 48917
(No. & Street) (City) (State) (Zip)

Length of Twp. Residency: 6 YRS Phone: (days) 517-927-3023 (evenings) 517-927-3023

E-mail: tonigrif1969@yahoo.com Occupation: BANK BRANCH MANAGER

Reason for Interest: I am both a resident and employee of Delta Township
I believe that community involvement is critical to
success. I would welcome an opportunity to share ideas
and participate in planning/networking to grow the township.

Related Employment Experience: I have been a manager at PNC bank in
Delta Township for 6+ years. I am in a unique position
to see a large volume of business and personal customers and
share what Delta Township has to offer.

Education, Training, Certifications & Special Skills: Graduate of LCC - 2004
Current Northwood University 3+1 program

Past Experience, Service or Other Information (e.g, Boards, Commissions, Churches, Civic/Community Groups, etc.):

Delta-Waverly Rotary Habitat for Humanity Greater
Lapeer County

Signature of Applicant: _____

Date: 3/5/12

Please use the back of this form to provide additional information if necessary. The appointment of candidates is generally based on the following criteria: desire to serve, experience, expertise, availability of time to serve, and maintenance of equitable geographic representation. All candidates will be interviewed. This application will be retained in Township files for two years. Please return this form to the Delta Township's Clerk's Office, 7710 West Saginaw Highway, Lansing, MI 48917. Questions may be directed to the Clerk's Office via phone: at (517) 323-8500, fax at (517) 323-8599, or e-mail at jvedder@deltami.gov. A description of the functions of each Board and Commission can be obtained by visiting the Township's website at www.deltami.gov, or by contacting the Clerk's Office.

For Office Use Only

Date Rec'd: 3/5/12

Date of Interview: _____

Date Appointed: _____

Date Reappointed: _____

JUSTIN B. HIMEBAUGH

5227 Fairbanks ♦ Lansing ♦ MI ♦ 48917 ♦ (517)580-3647 ♦ cell phone (517)749-4033
Complete profile available at LinkedIn ♦ e-mail Jhimebaugh72@gmail.com

DEGREE *Bachelor of Business Administration* Kalamazoo, MI
Fall 1989- Major-Accounting
Spring 1993 Minor-General Business

EDUCATION WESTERN MICHIGAN UNIVERSITY Kalamazoo, MI
Haworth College of Business

PROFESSIONAL HRU INC. Lansing, MI
EXPERIENCE *Controller*

April 2009- Controller for contingent staffing company. Lead Accounting department and part
Present Leadership team. Handle all vendor and banking relationships. Implemented
Ultrastaff payroll and applicant tracking system to help streamline the operation
and reduce overhead.

LEAP INC. Lansing, MI
Chief Operating Officer, Chief Financial Officer

May 2007- Provided start up support for new non-profit economic development company.
April 2009 Developed and implemented all accounting and operating systems for the
company. Participated in strategic development of the vision and mission of the
organization. Handled all vendor, banking and insurance relationships. Worked to
create a collaborative environment for community leaders and business leaders to
work together on LEAP initiatives. Responsible for running a regional business
retention program for the Tri-County Lansing area. Regularly met with top
executives in the region and connected them with area resources, to help keep them
competitive in today's challenging business environment. Worked on expansion
and attraction projects to help create and bring new jobs to the region.

DRIESEN & ASSOCIATES Holland, MI
Corporate Controller

October 2002- Managed all Finance and Accounting functions for all seven offices in three states.
May 2007 Implemented Deltek Advantage project based accounting system. Won the ROI
award, at the National Deltek Conference, for the most cost effective
implementation of Deltek Advantage Software. Completely redesigned workflow
of invoicing to streamline flow and drastically improve turnaround time. Started
many cost saving programs and adjusted many accounting policies and procedures
to improve efficiency. Managed our relationship with vendors, bankers, insurance
agents and all other business partners. Member of the management team
responsible for steering the company. Actively participated in strategic planning,

policy setting and all other top level management activities. Took the company national by facilitating the opening of offices in other states. Developed project management tools to help improve effectiveness of our project managers. Designed custom reports for tracking key metrics to profitability (Utilization, Effective Multipliers) and developed custom financial statements and powerpoint presentations for the management team and shareholders.

INFORMS

Holland, MI

Controller

*October 2000-
October 2002*

Reported directly to company president. Held top financial position in company, Responsible for all finance functions. Streamlined accounting functions. Brought all month-end processing and financial statement preparation in house. Filed all necessary tax forms and payments. Managed IT, which entailed maintaining a Novell network and Unix server that hosted the accounting system. Implemented an E-Commerce module, that worked with existing accounting system, allowing customers to order product online. Supervised accounting staff and warehouse personnel. Responsible for controlling costs through negotiating with vendors and improving efficiencies. Handled cash management duties such as; line of credit, bank reconciliations, leases and loans. Performed Human Resource functions including: payroll, payroll taxes, 401k plan, health insurance, flexible spending plan, hiring and firing.

PROVIA SOFTWARE

Grand Rapids, MI

Assistant Controller

*October 1994-
October 2000*

Reported directly to Chief Financial Officer. Performed all month-end closing tasks; prepared and analyzed financial statements, account reconciliations, revenue calculations, journal entries and job costing. Maintained fixed asset schedules. Created ad-hoc reports and financial analysis reports for management and project managers. Supervised A/R department and A/R collections. Participated in monthly project meetings. Coordinated annual year-end audit. Implemented new accounting system and integrated time and expense software package. Designed new budgeting and financial reporting structure. Started as accounting assistant doing A/R invoicing and helping with month-end. Steadily gained experience and responsibility. Given 4 promotions during 6 years with Provia Software.

LEAPS & BOUNDS

Sterling Heights, MI

Manager

*October 1993-
October 1994*

Managed crew and floor operations of the most profitable facility in the nation. Accountabilities included maintaining a bill ledger, payroll computation and transmittal (ADP), calculation of weekly statistics, purchasing, scheduling, hiring and inventory.

CONFERENCES and SEMINARS Business Solution Provider Course with MSU School of Labor Relations
Deltex Users Conference 2004, 2006, 2007
Access 2003 Level 2 Class (report writing, databases)

Controller's Conference 1999
Crystal Reports Training Seminar 1999
TECSYS/CDI Users Conference 1998
BDO - MAS 90 Level 2, Report Master Seminar 1995

MEMBERSHIPS Institute of Management Accountants - Member since 1996
Capital Area IT Council



DATE: February 6, 2013

TO: Township Board

FROM: Mary Clark, Clerk

RE: Receiving Boards – May 7th, & November 5th, Elections 2013

The Clerk's Office recommends approval of the following resolution establishing two receiving boards for the May 7th and the November 5th Elections for 2013, according to Michigan Election Law, Section 168.679a.

The following resolution is offered for your consideration:

“Move that the Township Board of the Charter Township of Delta establish two Receiving Boards for the elections scheduled for May 7, and November 5, 2013. The receiving teams shall consist of 2 election inspectors of opposite parties and shall be approved by the Election Committee. The Receiving Teams will open the sealed envelopes to review the poll book and Statement of Votes and to determine the following:

- (1) Ballot container properly sealed and seal number is properly recorded in poll book and on Statement of Votes. If ballot container is not properly sealed or there is a discrepancy with seal number recorded in poll book or on Statement of Votes, the precinct election inspectors who delivered the ballot container and the receiving team board members will together take necessary steps to correct the discrepancy. The discrepancy if any shall be noted in the remarks section of poll book and all four inspectors must sign notation.
- (2) The number of individuals voting recorded in poll book equals number of ballots issued to voters as shown in Statement of Votes.

- (3) If the poll book or Statement of Votes has been mistakenly sealed in ballot container, the election inspectors may open the ballot container and remove the poll book and Statement of Votes. The precinct inspectors and receiving board inspectors shall note the corrective action in remarks section of poll book. All four inspectors must sign notation prior to re-sealing ballot container and placing poll book and Statement of Votes in separate envelope to be re-sealed.
- (4) After receiving board has completed reviewing ballot container, poll book and statement of votes from all precincts the poll book and statement of votes shall be placed in appropriate envelope, sealed with red paper seal and delivered to County Clerk Election Night. Sealed ballot containers shall be placed in secured area until election certified by county board of canvassers and state board of canvassers. After election certification, election contents may be transferred from ballot container to approved ballot bag for appropriate retention period according to election law.

MEMO

TO: Township Board
Delta Charter Township

FROM: Christopher Gruba, Planner
Community Development Department

DATE: February 18, 2013

SUBJECT: Final Consideration of LaHaie Special Land Use Permit
Request in Case No. 12-12-15, to allow a home occupation for internet
gun sales.

Mr. Larry LaHaie is requesting a Special Land Use Permit to allow a home occupation for internet gun sales to be located at 7565 W. Eaton Highway. The proposed home occupation would utilize 108 square feet within the residence.

The Planning Commission held the required public hearing on January 14th, 2013 regarding this request, and in a 9-0 vote, recommended approval of the Special Land Use Permit. Due to a procedural error, this same request was heard again by the Planning Commission on February 11th, 2013, and in a 8-0 vote, recommended approval of the Special Land Use Permit.

Please find attached to this memo the following documents pertaining to this case:

- The Summary Record of the February 11, 2013 Planning Commission Public Hearing (Case No. 12-12-15).
- The Planning Department's Staff Report dated February 11, 2013.
- Supporting documentation, maps, sketch plans, photographs, etc.

RECOMMENDED MOTION:

The following motion, based on the Planning Commission's recommendation subsequent to the February 11, 2013 public hearing on this case, is offered for the Board's consideration:

"I move that the Delta Township Board **approve** the request for a Special Land Use Permit for an internet gun sales home occupation on the property described in Case No. 12-12-15 for the following reasons:

1. The request is consistent with the land use recommendations of the Delta

Township Comprehensive Plan and the intent of the Zoning Ordinance for the area of the Township in which it is located.

2. Public utilities and services are adequate to serve the proposed use on the subject parcel.
3. The proposed use will not pose a significant threat to the public health, safety, and welfare by reason of excessive production of traffic, noise, smoke, glare, or odors.

The special land use permit is approved subject to the following stipulations:

1. Continued compliance with all other home occupation regulations specified by section 18.8.0 H of the Delta Township Zoning Ordinance.
2. Failure of the applicant to comply with any of the provisions required by the Delta Township Zoning Ordinance, or any stipulations herein required by the Delta Township Board, shall constitute grounds for termination of this Special Land Use Permit by the Delta Township Board.

/cg

Attachments

K:\Planning\Chris Gruba\Home Occupations\Township Board Memo

DELTA TOWNSHIP PLANNING DEPARTMENT STAFF REPORT

PREPARED BY: Christopher Gruba

CASE NUMBER: 12-12-15

DATE: February 11, 2013

GENERAL INFORMATION

APPLICANT: Larry LaHaie
7565 W. Eaton Highway
Lansing, MI 48837

APPLICANT'S STATUS: Owner

REQUESTED ACTION: A Special Land Use Permit in order to allow a home occupation for internet gun sales.

EXISTING ZONING: A2, Agricultural/Residential

GENERAL LOCATION: 7565 W. Eaton Highway, in Section 4 of Delta Township.

PARCEL SIZE: 81,893 square feet, with 160 feet of frontage on W. Eaton Hwy.

EXISTING LAND USE: Single Family Dwelling

ADJACENT USES:

N	Single Family Detached Dwelling
E	Single Family Detached Dwelling
W	Single Family Detached Dwelling
S	Vacant

ADJOINING ZONING:

N	AG, Agricultural, (Watertown Township)
E	A2, Agricultural/Residential
W	A2, Agricultural/Residential

PROJECT DESCRIPTION:

The applicant is requesting a home occupation Special Land Use Permit to allow for internet gun sales. The applicant has indicated that he will be the sole family member operating the business from a 108 square foot room within the home. The total 108 square feet for the home occupation is under the 400 square foot maximum permitted per the Zoning Ordinance. There will be no exterior modification of the home. The applicant has stated that there will not be any typical business hours, as all sales will be made via the Internet. Gun buyers will not come to the home, guns will be mailed to them. There would be no commercial vehicles associated with the home occupation, nor will there be any outside displays or storage. There will be no signs advertising the home business. The attached Home Occupation Information Questionnaire completed and signed by the applicant provides additional details regarding the proposed business. Also attached is an aerial photo/location map illustrating the subject parcel.

SIGNIFICANT ELEMENTS OF THE COMPREHENSIVE PLAN:

The Official Future Land Use Map within the Delta Township Comprehensive Plan recommends that an agriculture/residential land use pattern be maintained in the area of the Township in which the subject parcel is located.

In reviewing similar requests in the past, it has been recognized that it is necessary to provide for the establishment of certain non-residential land-uses within residential areas subject to the implementation of such measures which are designed to insure compatibility. Such non-residential uses commonly include home occupations.

RELEVANT ZONING ORDINANCE REGULATIONS:

Chapter 7 and Schedule A of the Delta Township Zoning Ordinance contain the land-use and site development regulations which apply to parcels located in the A2, Agricultural/Residential, zoning district. The establishment of home occupations in the A2 zoning district are permitted via a Special Land Use Permit as per Section 7.3.0 H. of the Zoning Ordinance. The specific Special Land Use Permit regulations for home occupations are contained in Section 18.6.0 D. of the Ordinance.

TECHNICAL INFORMATION

UTILITIES:

Water - The subject parcel is not served by public water.

Sewage Disposal - The subject parcel is not served by public sanitary sewer.

Storm Drainage - No additional impervious surface is proposed to be added on the subject parcel as a result of the proposed home occupation.

STREETS & TRAFFIC:

The subject parcel fronts on W. Eaton Highway, which is classified as a local road by the Clinton County Road Commission. Eaton Highway is an unpaved public road that is under the jurisdiction of the Clinton County Road Commission.

Traffic – In 2011, this section of Eaton Highway had a traffic count of 328 cars per day.

Trip Generation - The applicant has indicated that there will be no on-site sales or customers coming to the house. All gun sale transactions will be made online and the guns shipped to them. Just for reference, section 18.6.0 D. (6) of the Zoning Ordinance limits the number of vehicle trips that may be generated by a home occupation, excluding those trips generated by the homes occupants, to no more than 10 trips per day.

According to 7th Edition of Trip Generation, published in 2003 by the Institute of Transportation Engineers, a typical detached single family home can be expected to generate an average of 9.57 vehicle trips per day.

STAFF ANALYSIS

- I. Section 18.6.0 D. of the Zoning Ordinance contains the specific standards that must be satisfied for the review and approval of Special Land Use permit requests. These standards as they relate to this case are reviewed as follows:**

(1) A home occupation shall only be conducted on the premises of a single family detached dwelling. Home occupations are not permitted within two family or

multiple-family dwellings.

The proposed home occupation is to be operated from the existing single family detached dwelling on the subject parcel.

- (2) *Exterior storage of equipment or accessory items and/or display of materials, goods, or supplies, used in the conduct of the home occupation is prohibited.***

The applicant has indicated that all activities associated with the home occupation are conducted indoors.

- (3) *Only members of the immediate family who reside on the premises shall be employed in any part of the operation of the home occupation. All activities related to the home occupation shall be carried on indoors.***

The applicant will be the sole operator of the home occupation. No outside employees are involved. All activities are conducted within the home.

- (4) *The establishment of a home occupation shall not necessitate exterior modification, except as may be required to accommodate the physically handicapped, or as may be required by the Building Official, to any building on the property.***

No exterior modifications of the existing home are proposed.

- (5) *A home occupation shall not generate an unduly burdensome amount of traffic for the general area in which it is located. Unless the Planning Commission stipulates otherwise, the home occupation shall not generate more than ten (10) trips per day, excluding trips generated by the occupants of the home. All parking for vehicles associated with the home occupation shall be provided off the street. The following factors shall be considered when reviewing whether traffic generation is unduly burdensome:***

- (a) *Is the subject parcel at the entrance or the interior of a subdivision?***
- (b) *Is the subject parcel located on a street consisting of three or more lanes and/or a street with an average two-way 24 hour traffic volume in excess of 10,000 vehicles?***
- (c) *Is the proposed Home Occupation conducted on the basis of appointments or does traffic peak at certain times of the day?***

(d) Do the traffic volumes vary on a seasonal basis?

(e) Do alternatives exist to generating traffic to the home?

There will be no customer transactions on site.

(6) Home occupations are permitted in both principal and accessory buildings. However, in no case shall more than 400 square feet of gross floor area of the principal and accessory buildings combined be utilized for a home occupation.

The applicant has indicated that the home occupation will occupy a 108 square foot room within the house.

(7) The applicant shall certify that the home occupation will not produce fumes, odors, dust, vibration, noise, smoke, electrical interference, fire hazard or other conditions which might pose a nuisance to adjacent properties.

None indicated.

(8) The home occupation shall not involve the use or storage of commercial vehicles over one (1) ton in capacity.

The applicant has indicated that no commercial vehicles will be used in conjunction with the business.

(9) The Planning Commission may stipulate the hours of operation in order to avoid possible disquieting effects from the home occupation to adjacent properties.

All activities will be conducted indoors and will not involve processes which would have a disquieting effect on the neighbors. In the past, the Commission has stipulated that home occupations not be operated past 8:00 p.m. in order to minimize the impacts on adjacent residents.

(10) A home occupation shall not sell or offer for sale on the premises any article or service which is not produced on the premises.

This is a specialized service activity not involving retail sales.

(11) Uses which shall be prohibited as home occupations shall include, but shall not be limited to, the following:

- (a) *nursing or convalescent homes.*
- (b) *antique shops.*
- (c) *funeral homes.*
- (d) *medical or dental clinics or hospitals, or animal hospitals.*
- (e) *day care centers or nursery schools.*
- (f) *restaurants.*
- (g) *repair of automobiles, motorcycles, boats, trailers, trucks or similar equipment or vehicles.*
- (h) *kennels.*
- (I) *refuse collection businesses.*
- (j) *food preparation & catering*

Gun sales are not specifically prohibited from operating as home occupations.

II. Section 18.4.0 of the Zoning Ordinance specifies the general standards that must be satisfied for the review and approval of Special Land Use permit requests. The proposed use or activity shall:

- 1. Be compatible and in accordance with the Goals, Objectives and Policies of the Delta Township Comprehensive Plan and promote the Intent of the zoning district in which the use is proposed.**

The Generalized Future Land Use Map within the Comprehensive Plan recommends an agricultural/residential development pattern for that area of the Township in which the subject parcel is located. The subject parcel is zoned A2, Agricultural/Residential. Home occupations are permitted in the A2 zoning district with a Special Land Use Permit as per the standards of Section 18.6.0(D) of the Zoning Ordinance.

- 2. Be constructed, operated and maintained so as to be compatible with the existing or intended character of the general vicinity and so as not to change the essential character of the area in which it is proposed.**

Based upon the information provided by the applicant in the questionnaire, it appears that the proposed home occupation would be compatible with the existing residential character of the surrounding neighborhood.

There is no evidence that the proposed home occupation will be incompatible with the existing or intended character of the area. Currently, the Township has 6 licensed firearm sales facilities operating as home occupations. The currently licensed facilities are as follows:

Robert Reeves, 505 Harriet Street, Case No. 4-96-12, issued May 13, 1996
Ken Holtz, 212 Richard Avenue, Case No. 7-96-21, issued August 12, 1996
Jeff Hath, 4807 Westvale Circle, Case No. 9-96-29, issued October 14, 1996
Douglas Witte, 10735 Nixon Road, Case No. 8-97-32, issued July 8, 1997
Richard Wagner, 9415 Nixon Road, Case No. 4-10-4, issued May 17, 2010
Eugene LaGrave, 4929 Palisade, Case No. 2-12-15, issued April 16, 2012

3. Be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage structures, water and sewage facilities and schools.

The site is adequately served by essential public facilities. The site does not have public sewer or water service, but the proposed home occupation should not affect these utilities.

4. Not involve uses, activities, processes, materials and equipment or condition of operation that will be detrimental to the natural environment, public health, safety or welfare by reason of excessive production of traffic, noise, smoke, odors, or other such nuisance.

The home occupation will not involve uses, activities, processes, materials and equipment or conditions of operation that will be detrimental to the natural environment, public health, safety or welfare by reason of excessive production of traffic, noise, smoke, or other such nuisance. Guns will not be discharged on site.

STAFF RECOMMENDATION

The following motion is offered for the Planning Commission's consideration:

"I move that the Delta Township Planning Commission recommend to the Delta Township Board **approval** of the request for a Special Land Use Permit for a Home Occupation to allow for internet gun sales on the premises located at 7565 W. Eaton Highway, as described in Case No. 12-12-15, for the following reason:

The request meets the general standards specified for Special Land Uses in Section 18.8.0 and the specific standards for home occupations as specified by Section 18.6.0 (D) of the Delta Township Zoning Ordinance as per the Home

Occupation Questionnaire completed, signed, and dated by the applicant on December 12, 2012.

The Special Use Permit is recommended for approval subject to the following stipulations:

1. Continued compliance with all Home Occupation regulations specified by Section 18.6.0 D. of the Delta Township Zoning Ordinance.
2. Failure of the applicant to comply with the applicable provisions of the Zoning Ordinance, or any stipulations required by the Delta Township Board of Trustees, shall constitute grounds for termination of this permit by the Board of Trustees.”

/cg

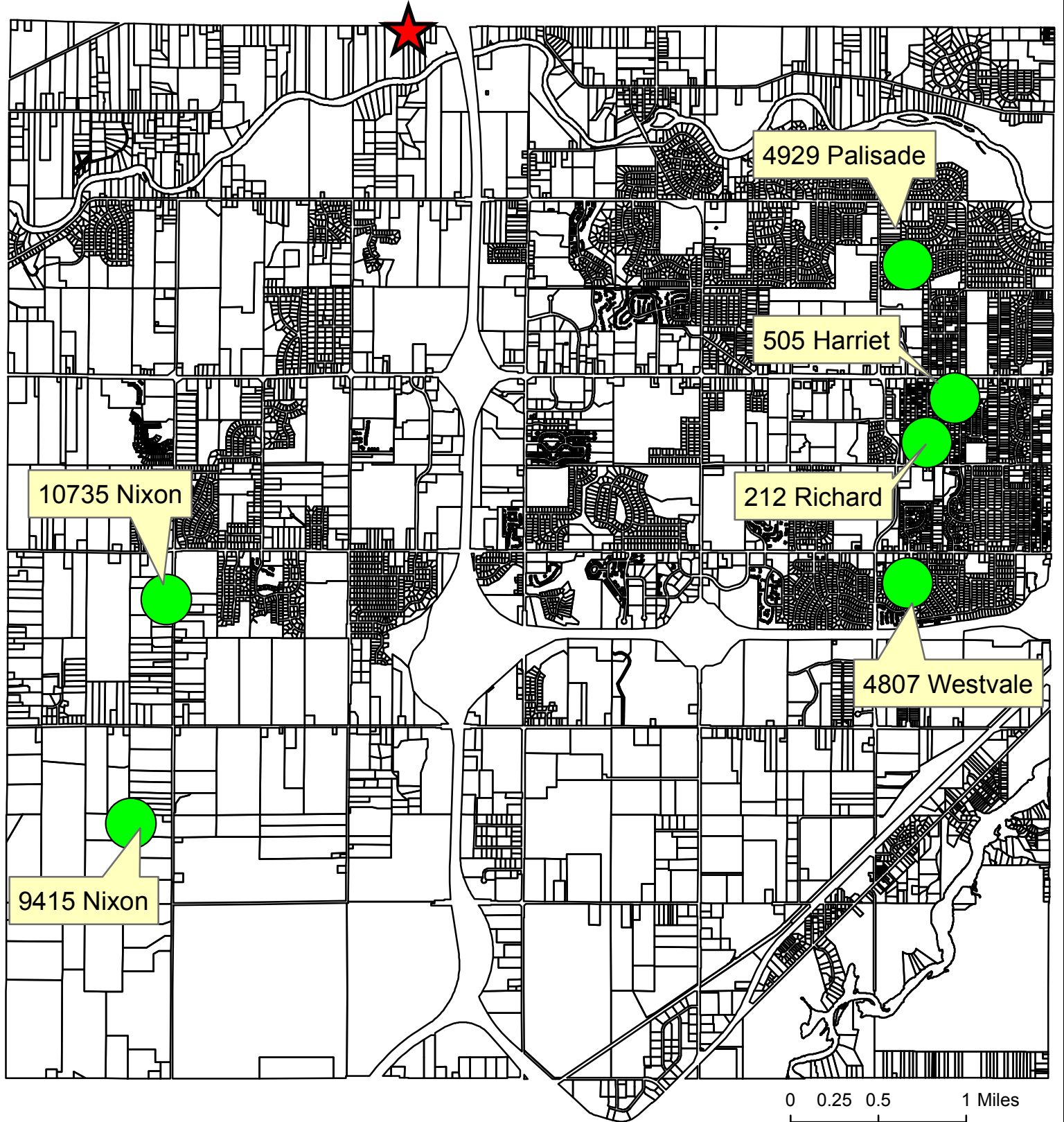
Attachments

K:\Planning\Chris Gruba\Home Occupations\7565 W Eaton Hwy - LaHaie gun sales

N



SLU Permits for Gun Sales



Summary Record of Public Hearing for Case No. 12-12-15, Special Land Use Permit for a Home Occupation, Internet Gun Sales at 7565 W. Eaton Highway, Section 4.

Members in attendance: Gabriel, Schweitzer, Cascarilla, Laforet, Lathrop, McConnell, Mudry, and Ruswinckel.

Members absent: MacLaren

Assistant Planner Chris Gruba noted that Mr. LaHaie's request for internet gun sales was before the Commission on January 14th at which time the Commission recommended approval. He noted that when the case was sent to the Township Board for final approval, it was discovered that two residents on the north side of Eaton Highway within Watertown Township had not received notice of the proposed home occupation and that a new public hearing should be held. Mr. Gruba pointed out that there were six other special land use permits for gun sales active within the Township at the present time and that the Commission had been provided with a map illustrating where those operations were located. He noted that the home occupation would consist of the sale of new and used firearms and that all sales would be conducted through the Internet. Mr. Gruba indicated that there wouldn't be any customers coming to the home and that there wouldn't be any more than 12 firearms on the property at one time. He noted that Mr. LaHaie would be the sole operator of the business and that there wouldn't be any discharge of guns on the site.

Ms. Gabriel asked if staff had received any response from the residents on the north side of Eaton Highway.

Mr. Gruba said staff did not receive any response from the residents.

Ms. Gabriel informed those in the audience that the Commission had held an extensive public hearing on this request on January 14th at which time a lot of discussion ensued regarding the request.

Mr. Mudry noted that Mr. LaHaie's application was somewhat different than what he had reviewed in the past and that Mr. LaHaie had indicated that firearms would also be obtained at local gun shows, auctions, and from private sellers. Mr. Mudry questioned what documentation Mr. LaHaie was provided to ensure that the firearms had not been stolen.

Mr. LaHaie said firearms purchased at a gun show would be from a dealer, as well as individuals and that it would be his intention to obtain a signed receipt of where the firearm came from. Mr. LaHaie noted that the possibility existed that a firearm could be stolen, but he would require receipt of where the firearm was obtained and who it was obtained from.

Mr. Mudry questioned whether serial numbers on the firearms would be checked by the Sheriff's Department.

Mr. LaHaie said it would not be his intention to check serial numbers with the Sheriff's

**SUMMARY RECORD OF PUBLIC HEARING
CASE NO. 12-12-15
FEBRUARY 11, 2013
PAGE 2**

Department.

Ms. Gabriel questioned whether the serial number would have to be checked before the firearm was sold.

Mr. LaHaie noted that serial numbers for long guns were recorded, but he wasn't aware of any laws that required him to check with the Sheriff's Department.

Mr. Mudry noted that home occupations for firearms sales that he had reviewed in the past were conducted by individuals and a manufacturer or a distributor, but in this case, the applicant would obtain firearms at gun shows, auctions, and from private individuals which he wasn't comfortable with.

Mr. LaHaie said one of the criticisms with gun show transactions was that background checks were not required like they were with a dealer. He noted that when he sold a firearm, the gun would be subject to a background check, but a background check wasn't required for him to obtain the firearm.

Mr. Lathrop reminded Commissioner's that gun sales were permitted under the Township's Home Occupation regulations.

Ms. Ruswinckel said other firearms sales the Commission had approved in the past were conducted where the individual would purchase firearms from other sources other than a manufacturer. She inquired about the terms "long guns" and "short guns" and whether all handguns were required to be registered.

Mr. LaHaie said rifles and shotguns were categorized as "long guns" and handguns were categorized as "short guns" He noted that all handguns were required to be registered.

Ms. Laforet said she understood Mr. Mudry's concerns, but she felt it would be more of a liability on Mr. LaHaie's part if he was selling stolen firearms and that it would be to his benefit to make sure that the firearms he was dealing with were legitimate.

Ms. Gabriel asked if there was anyone in the audience who would like to speak on this case.

There was no one.

MOTION BY RUSWINCKEL, SECONDED BY MCCONNELL, THAT THE PUBLIC HEARING BE CLOSED. VOICE VOTE. CARRIED 8-0.

MOTION BY LAFORET, SECONDED BY LATHROP, THAT THE DELTA

**SUMMARY RECORD OF PUBLIC HEARING
CASE NO. 12-12-15
FEBRUARY 11, 2013
PAGE 3**

TOWNSHIP PLANNING COMMISSION RECOMMEND APPROVAL OF THE REQUEST FOR A SPECIAL LAND USE PERMIT FOR A HOME OCCUPATION TO ALLOW FOR INTERNET GUN SALES ON THE PREMISES LOCATED AT 7565 W. EATON HIGHWAY, AS DESCRIBED IN CASE NO. 12-12-15, FOR THE FOLLOWING REASON:

THE REQUEST MEETS THE GENERAL STANDARDS SPECIFIED FOR SPECIAL LAND USES IN SECTION 18.8.0 AND THE SPECIFIC STANDARDS FOR HOME OCCUPATIONS AS SPECIFIED BY SECTION 18.6.0(D) OF THE DELTA TOWNSHIP ZONING ORDINANCE AS PER THE HOME OCCUPATION QUESTIONNAIRE COMPLETED, SIGNED, AND DATED BY THE APPLICANT ON DECEMBER 12, 2012. THE SPECIAL USE PERMIT IS RECOMMENDED FOR APPROVAL SUBJECT TO THE FOLLOWING STIPULATIONS:

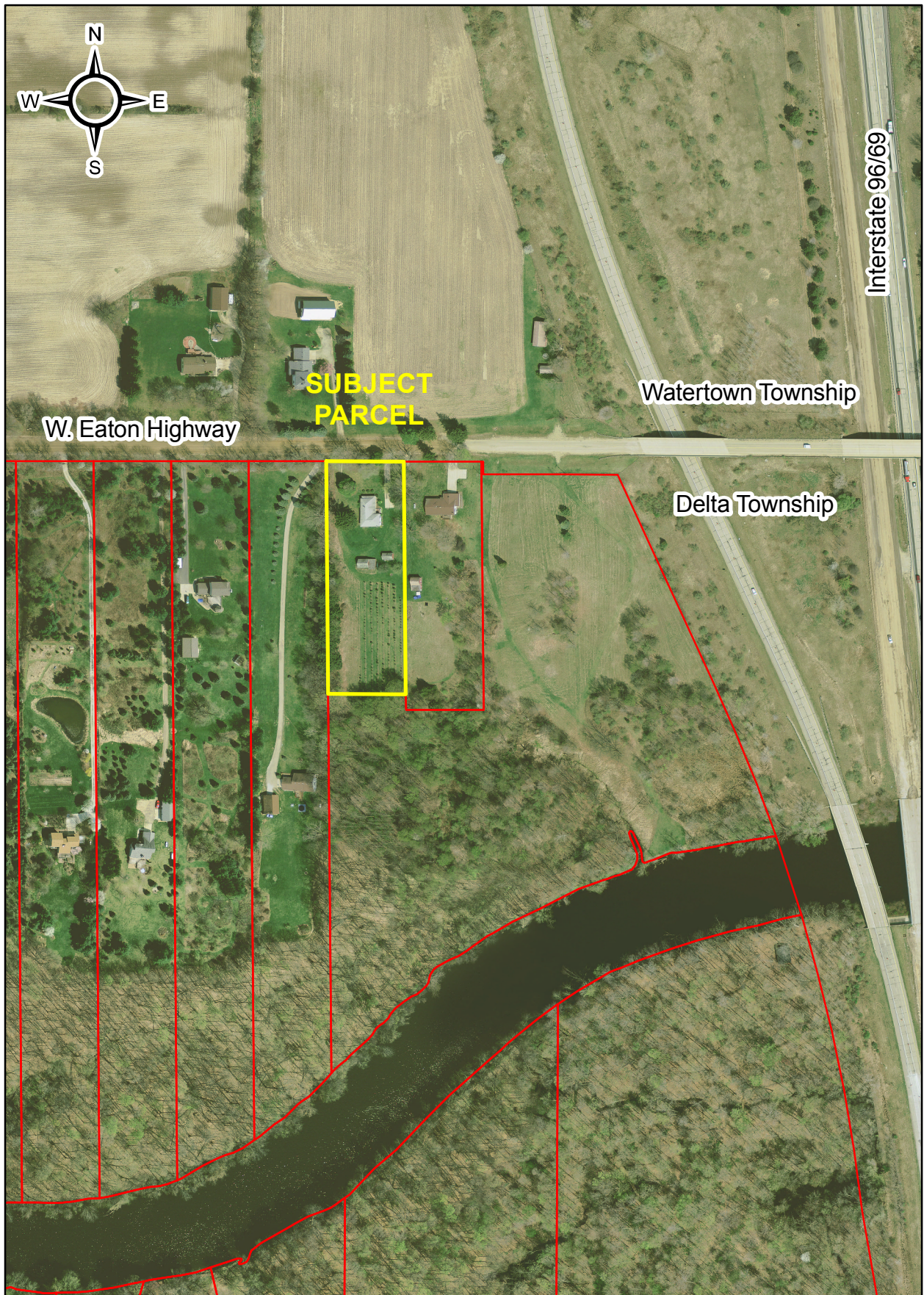
- 1. CONTINUED COMPLIANCE WITH ALL HOME OCCUPATION REGULATIONS SPECIFIED BY SECTION 18.6.0 D. OF THE DELTA TOWNSHIP ZONING ORDINANCE.**
- 2. FAILURE OF THE APPLICANT TO COMPLY WITH THE APPLICABLE PROVISIONS OF THE ZONING ORDINANCE, OR ANY STIPULATIONS REQUIRED BY THE DELTA TOWNSHIP BOARD, SHALL CONSTITUTE GROUNDS FOR TERMINATION OF THIS PERMIT BY THE BOARD.**

ROLL CALL VOTE. CARRIED 8-0.

Respectfully submitted,

Andrea Cascarilla, Secretary

Minutes prepared by Anne Swink



7565 W. Eaton Hwy - Internet gun sale use request

Case No. 12-12-15

Aerial Location Map

0 150 300 600
Feet 1 inch = 300 feet



DELTA CHARTER TOWNSHIP
PLANNING DEPARTMENT
Delta Administration Building
7710 West Saginaw Highway
Lansing, Michigan 48917
PHONE (517) 323-8560

SPECIAL LAND USE PERMIT APPLICATION

1. APPLICANT: NAME: Lattaie Larry T
(LAST) (FIRST) (M.I.)
ADDRESS: 7565 W. Eaton Hwy. Grand Ledge, MI 48837
(STREET & NO.) (CITY) (STATE) (ZIP)
TELEPHONE: 517-627-9344 517-749-0912
(HOME) (OFFICE)

2. APPLICANT'S INTEREST IN PROPERTY: _____

3. OWNER: NAME: Lattaie Larry T.
(LAST) (FIRST) (M.I.)
ADDRESS: 7565 W. Eaton Hwy. Grand Ledge, MI 48837
(STREET & NO.) (CITY) (STATE) (ZIP)
TELEPHONE: 517-627-9344 517-749-0912
(HOME) (OFFICE)

4. REQUEST IS FOR A SPECIAL USE PERMIT TO (Please specify use): Conduct
sale of firearms on property.

5. LEGAL DESCRIPTION OF PROPERTY: W 165 ft. of N 528 ft. of W 25.73
acres of E 52 acres of N 1st part of Sec. 4, lying
N of Grand River, except Hwy on N. Sec. 4, T4N, R3W,
Delta Twp.

6. ADDRESS OF PROPERTY: 7565 W. Eaton Hwy.

7. PRESENT USE OF PROPERTY: Residential, single family

8. ATTACH REQUIRED SITE PLAN DRAWING:

Section 18.1.0 B (3) of the Delta Township Zoning Ordinance requires that all applications for Special Land Use Permits be accompanied by a reproducible copy (mylar or sepia) of a site plan meeting the requirements of Section 19.4.0 A. (1), (2), (a), excluding contours, (b), (c), (o), (p), and (3). (Amended 6/19/95)

9. NAME & ADDRESS OF ALL OTHER PERSONS, FIRMS, OR CORPORATIONS HAVING A LEGAL OR EQUITABLE INTEREST IN THE PROPERTY: Quicken Loans Inc.,
1050 Woodward Ave., Detroit, MI 48226

10. APPLICANT'S SIGNATURE:

Larry Lattaie 12/2/12
DATE:

11. OWNER'S SIGNATURE:

Larry Lattaie 12/2/12
X Jennifer Lattaie 12/2/12
(IF NOT APPLICANT) DATE:

-OFFICIAL USE ONLY-

CASE NO.: _____
FILING DATE: 12-4-12
FEE PAID: \$725 CCG
DATE OF HEARING: _____
P.C. ACTION: _____ DATE: _____
TWP. BOARD ACTION: _____ DATE: _____
EFFECTIVE DATE: _____

HOME OCCUPATION INFORMATION QUESTIONNAIRE

SLU CASE NUMBER 12-12-15

PROCESSING FEE \$125

The information provided by the applicant on this form will be distributed to the Delta Township Planning Commission for review. Please read Section 18.6.0 D paragraphs (1) through (11) of the Delta Township Zoning Ordinance before completing this questionnaire. If you have any questions regarding the information requested on the form, please contact:

Delta Township Planning Department
7710 West Saginaw Highway
Lansing, Michigan 48917
Phone: (517) 323-8560

(PLEASE PRINT OR TYPE)

Q-1. APPLICANT: Name LaHaie Larry T.
(Last) (First) (Middle Initial)
Address 7565 W. Eaton Hwy., Grand Ledge, MI 48837
(Street & Number) (City) (State) (Zip Code)
Telephone 517-749-0912 517-627-9344
(Business) (Home)

Q-2. OWNER: Name LaHaie Larry T.
(Last) (First) (Middle Initial)
Address 7565 W. Eaton Hwy., Grand Ledge, MI 48837
(Street & Number) (City) (State) (Zip Code)
Telephone 517-749-0912 517-627-9344
(Business) (Home)

Q-3. Type of Business Internet based sale of firearms.

Q-4. Provide a description in the space provided below of the proposed Home Occupation. Please include a description of the activities involved and the methods of operation.

The proposed business would be the sale of new and used firearms. Firearms would be obtained at local gun shows, auctions, and from private sellers. Sales would be through on-line auction sites, no face-to-face transactions. No more than 12 firearms would be stored at any one time. Guns would be packaged for shipping at the residence, as would all record-keeping activities.

Q-5. Does the proposed Home Occupation create noise, dust, vibration, odor, smoke, glare, electrical interference or fire hazard? (Please circle number)

1. NO

2. YES — If YES, please explain in the space provided below.

Q-6. How many persons will be employed in the conduct of the proposed Home Occupation?

Number of family members

1

Q-7. What type of product will be produced, serviced, or repaired in the conduct of your proposed Home Occupation?

Sale and transfer of firearms.

Q-8. Describe any alteration to the home that might be required to facilitate your proposed Home Occupation.

None.

Q-9. What rooms will be used in the conduct of the proposed Home Occupation and how will these rooms be used?

One room would be used for storage, packing for shipping, and record-keeping.

Q-10. What is the size of the area to be used for the proposed Home Occupation?

9 ft. x 12 ft.

Q-11. Describe the mechanical and/or electrical equipment (i.e. desk, filing cabinet, copy machine table saw etc.) that will be necessary to the conduct of your activity.

Locked gun safe, computer and printer,
filing cabinet.

Q-12. Describe how, where, and in what amounts the material, supplies, and/or equipment related to your proposed Home Occupation will be displayed or stored.

All firearms will be stored in a locked
gun safe.

Q-13. Will people come to your home to obtain any product or utilize any service connected with the proposed Home Occupation activity? (Please circle number)

1. NO

2. YES

If YES please explain in detail the number of customers per day and how many days a week the proposed Home Occupation will operate in the space provided.

A. Estimated number of customers per day

N.A.

B. Days a week proposed Home Occupation is in operation

N.A.

C. Hours of operation

N.A.

Q-14. Is the proposed Home Occupation activity full-time (sole source of income) or part-time (secondary source of income)? (Please circle number)

1. FULL-TIME

2. PART-TIME

Q-15. If trucks or other vehicles will be used in your proposed Home Occupation, where will they be parked or stored?

N.A.

Q-16. Will the proposed Home Occupation involve the use of commercial vehicles for delivery of materials to or from the premises? (Please circle number)

1. NO

2. YES

If YES, please explain in the space provided below.

I HAVE READ AND FULLY UNDERSTAND DELTA TOWNSHIP'S HOME OCCUPATION REGULATIONS (SECTION 18.6.0 D PARAGRAPHS (1) THROUGH (11) OF THE DELTA TOWNSHIP ZONING ORDINANCE) AND ATTEST THAT TO THE BEST OF MY KNOWLEDGE MY PROPOSED HOME OCCUPATION WOULD BE IN TOTAL COMPLIANCE WITH ALL OF THE PROVISIONS SET FORTH IN THESE REGULATIONS.

Larry LaFair
APPLICANT'S SIGNATURE

Dec. 2, 2012
DATE

Larry LaFair
PROPERTY OWNER'S SIGNATURE

Dec. 2, 2012
DATE

DELTA TOWNSHIP PLANNING DEPARTMENT STAFF REPORT

PREPARED BY: Christopher Gruba

CASE NUMBER: 12-12-15

DATE: February 11, 2013

GENERAL INFORMATION

APPLICANT: Larry LaHaie
7565 W. Eaton Highway
Lansing, MI 48837

APPLICANT'S STATUS: Owner

REQUESTED ACTION: A Special Land Use Permit in order to allow a home occupation for internet gun sales.

EXISTING ZONING: A2, Agricultural/Residential

GENERAL LOCATION: 7565 W. Eaton Highway, in Section 4 of Delta Township.

PARCEL SIZE: 81,893 square feet, with 160 feet of frontage on W. Eaton Hwy.

EXISTING LAND USE: Single Family Dwelling

ADJACENT USES:

N	Single Family Detached Dwelling
E	Single Family Detached Dwelling
W	Single Family Detached Dwelling
S	Vacant

ADJOINING ZONING:

N	AG, Agricultural, (Watertown Township)
E	A2, Agricultural/Residential
W	A2, Agricultural/Residential

PROJECT DESCRIPTION:

The applicant is requesting a home occupation Special Land Use Permit to allow for internet gun sales. The applicant has indicated that he will be the sole family member operating the business from a 108 square foot room within the home. The total 108 square feet for the home occupation is under the 400 square foot maximum permitted per the Zoning Ordinance. There will be no exterior modification of the home. The applicant has stated that there will not be any typical business hours, as all sales will be made via the Internet. Gun buyers will not come to the home, guns will be mailed to them. There would be no commercial vehicles associated with the home occupation, nor will there be any outside displays or storage. There will be no signs advertising the home business. The attached Home Occupation Information Questionnaire completed and signed by the applicant provides additional details regarding the proposed business. Also attached is an aerial photo/location map illustrating the subject parcel.

SIGNIFICANT ELEMENTS OF THE COMPREHENSIVE PLAN:

The Official Future Land Use Map within the Delta Township Comprehensive Plan recommends that an agriculture/residential land use pattern be maintained in the area of the Township in which the subject parcel is located.

In reviewing similar requests in the past, it has been recognized that it is necessary to provide for the establishment of certain non-residential land-uses within residential areas subject to the implementation of such measures which are designed to insure compatibility. Such non-residential uses commonly include home occupations.

RELEVANT ZONING ORDINANCE REGULATIONS:

Chapter 7 and Schedule A of the Delta Township Zoning Ordinance contain the land-use and site development regulations which apply to parcels located in the A2, Agricultural/Residential, zoning district. The establishment of home occupations in the A2 zoning district are permitted via a Special Land Use Permit as per Section 7.3.0 H. of the Zoning Ordinance. The specific Special Land Use Permit regulations for home occupations are contained in Section 18.6.0 D. of the Ordinance.

February 5, 2013

To: Delta Township Board

From: Andrea Cascarilla, Secretary, Delta Township Planning Commission

Subject: Transmittal of the Delta Township Comprehensive Plan to the Township Board

As per section 43 of the Michigan Planning Enabling Act, I am submitting a copy of the Delta Township Comprehensive Plan, as adopted by the Delta Township Planning Commission on January 28, 2013, to the Township Board.

Recent Chronology

October 22, 2012

The Planning Commission held a public hearing regarding the 2013 Comprehensive Plan.

November 12, 2012

The Planning Commission continued their review of the 2013 Comprehensive Plan. The Commission passed resolutions pertaining to Work Papers #1, #2, #3, #5 & #6 which were related to the Plan.

December 31, 2012

The final version of the 2013 Comprehensive Plan was electronically sent to the Planning Commission for their final review.

January 28, 2013

The Delta Township Planning Commission unanimously passed a resolution adopting the 2013 Delta Township Comprehensive Plan.

February 4, 2013

Mark Graham gave a Power Point Presentation to the Township Board pertaining to the 2013 Comprehensive Plan.

Planning Commission Resolution Adopting the Comprehensive Plan

Please find attached a copy of the Planning Commission's January 28th Resolution adopting the Plan.

Township Board Resolution

"I move that the Delta Township Board hereby acknowledge receipt of the 2013 Delta Township Comprehensive Plan as adopted by the Delta Township Planning Commission on January 28, 2013."

C:\cors\Board\Comp Plan transmittal to Twp Bd

RESOLUTION

At a regular meeting of the Delta Charter Township Planning Commission held on January 28, 2013.

Members Present: Cascarilla, Lathrop, Mudry, Laforet, Ruswinckel, McConnell, Schweitzer, MacLaren

Members Absent: Gabriel

Commissioner McConnell moved, supported by Commissioner MacLaren, that,

WHEREAS, the Delta Charter Township Planning Commission, with the assistance of staff and planning consultant Bircher-Arroyo Associates, have engaged in the development of a 2013 Comprehensive Plan for Land Use to replace the 2004 Comprehensive Plan in accordance with the procedures described in Public Act 33 of 2008, as amended (commonly known as the Michigan Planning Enabling Act); and

WHEREAS, the public has provided input on the development of the Plan at meetings held on May 12, 2011 and July 9, 2012; and

WHEREAS, the Delta Charter Township Board was provided with presentations regarding the draft Plan on April 9 and August 13, 2012; and

WHEREAS; over twenty public agencies and municipalities were notified of the draft Plan and provided an opportunity for comment; and

WHEREAS, the Planning Commission has reviewed the draft Plan and provided comments including those provided on January 28, 2013, that have been incorporated into the Plan: and

WHEREAS, the Planning Commission accepts the 2013 Comprehensive Plan for Land Use as the basic plan for the development of the Township pursuant to the authority of the Michigan Planning Enabling Act; and

WHEREAS the Planning Commission held a public hearing on October 22, 2012 in accordance with the requirements of the Michigan Planning Enabling Act, to receive comments on the 2013 Comprehensive Plan for Land Use,

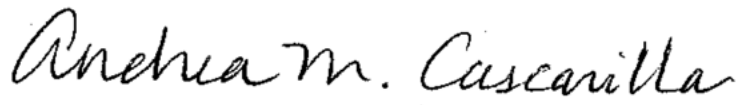
NOW THEREFORE BE IT RESOLVED THAT:

1. The 2013 Delta Charter Township Comprehensive Plan for Land Use is hereby adopted by the Planning Commission; and
2. The 2013 Delta Charter Township Comprehensive Plan for Land Use shall be submitted to the Delta Charter Township Board for its review and consideration.

AYES: 8

NAYS: 0

This Resolution declared adopted on January 28, 2013.

A handwritten signature in black ink that reads "Andrea M. Cascarilla". The signature is written in a cursive, flowing style.

Andrea Cascarilla, Planning Commission Secretary

C:\rpt\studies\Comp Plan PC Resolution to Adopt

